

**EDGERTON CITY COUNCIL  
MEETING AGENDA  
CITY HALL, 404 EAST NELSON STREET  
October 25, 2018  
7:00 P.M.**

**Call to Order**

1. **Roll Call** \_\_\_\_ Roberts \_\_\_\_ Longanecker \_\_\_\_ Brown \_\_\_\_ Conus \_\_\_\_ Lewis \_\_\_\_ Smith
2. **Welcome**
3. **Pledge of Allegiance**

**Consent Agenda** *(Consent Agenda items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action)*

4. Approve Minutes for October 18, 2018 Regular City Council Meeting
5. Consider Final Plat of Logistics Park Kansas City Southwest
6. Consider Final Acceptance of Nelson Street Water Line Community Development Block Grant (CDBG) Project and Authorize Final Payment to Wiedenmann Inc.

**Regular Agenda**

7. **Public Comments.** Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court or other outside tribunals are not permitted. Please notify the City Clerk before the meeting if you wish to speak. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.
8. **Declaration.** At this time Council members may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

**Business Requiring Action**

9. **CONSIDER ORDINANCE NO. 1091 ADOPTING A RECOMMENDATION BY THE CITY PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 30 ACRES OF LAND [LOCATED DIRECTLY NORTH OF 31800 W. 196<sup>TH</sup> STREET AND EAST OF 32285 W. 191<sup>ST</sup> STREET] IN EDGERTON, KANSAS FROM JOHNSON COUNTY RUR, RURAL ZONING TO CITY OF EDGERTON L-P LOGISTICS PARK ZONING DISTRICT**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

10. **CONSIDER ORDINANCE NO. 1092 ADOPTING A RECOMMENDATION BY THE CITY PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 30 ACRES OF LAND [FOUR PARCELS GENERALLY LOCATED SOUTH OF THE INTERSECTION OF WAVERLY ROAD AND 191ST STREET] IN EDGERTON, KANSAS FROM JOHNSON COUNTY RUR, RURAL ZONING TO CITY OF EDGERTON L-P LOGISTICS PARK ZONING DISTRICT**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

11. **CONSIDER ORDINANCE NO. 1093 ADOPTING A RECOMMENDATION BY THE CITY PLANNING COMMISSION TO APPROVE REZONING OF APPROXIMATELY 1.43 ACRES OF LAND [GENERALLY LOCATED AT 310 W. 8TH STREET] IN EDGERTON, KANSAS FROM NO ZONING TO CITY OF EDGERTON L-P LOGISTICS PARK ZONING DISTRICT**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

12. **CONSIDER PURCHASE OF THE PUBLIC WORKS REPLACEMENT TRUCK THROUGH THE MID AMERICA REGIONAL COUNCIL'S METRO VEHICLE BID LIST**

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

13. **Report by the City Administrator**

14. **Report by the Mayor**

15. **Future Meeting/Event Reminders:**

- October 28<sup>th</sup>: Halloween Party
- November 8<sup>th</sup>: 7PM – City Council
- November 13<sup>th</sup>: 7 PM – Planning Commission

16. **CONSIDER RECESSING INTO EXECUTIVE SESSION PURSUANT TO K.S.A. 75-4319 (B) (2) FOR CONSULTATION WITH AN ATTORNEY DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP TO INCLUDE CITY ATTORNEY AND CITY ADMINISTRATOR**

RECONVENE INTO OPEN SESSION

17. **Adjourn** Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

**City of Edgerton, Kansas  
Minutes of City Council Regular Session  
October 18, 2018**

A Regular Session of the City Council was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on October 18, 2018. The meeting convened at 7:00 p.m. with Mayor Roberts presiding.

**1. ROLL CALL**

Ron Conus	present
Clay Longanecker	present
Josh Lewis	absent
Katee Smith	present
Jody Brown	present

With a quorum present, the meeting commenced.

Staff in attendance:	City Administrator Beth Linn
	Assistant City Administrator Scott Peterson
	City Attorney Lee Hendricks
	Development Services Director Katy Crow
	Finance Director Karen Kindle
	Public Works Director Dan Merkh
	Public Works Superintendent Trey Whitaker
	Utility Superintendent Mike Mabrey

**2. WELCOME**

**3. PLEDGE OF ALLEGIANCE**

**CONSENT AGENDA**

- 4.** Approve Minutes for September 27, 2018 Regular City Council Meeting
- 5.** Consider Final Acceptance of 181<sup>st</sup> Street Phase II Project and Authorize Final Payment to Clarkson Construction Company.

Motion by Brown, Second by Smith, to approve consent agenda.

Motion was approved, 4-0.

**REGULAR AGENDA**

- 6. Public Comments.** None.

- 7. Declaration.** None.

## **BUSINESS REQUIRING ACTION**

### **8. CONSIDER THE REPLACEMENT OF THE SIDING AND WINDOWS AT THE EDGERTON COMMUNITY MUSEUM**

Dan Merkh, Public Works Director, presented on the condition of the community museum. The condition of the siding and windows at the Edgerton Community Museum has deteriorated beyond the ability to be repaired and they now must be replaced. This project will make the building more efficient. The project was put out to bid and Arrow Renovation provided the low bid.

Beth Linn, City Administrator, stated there were two different prices of replacement costs listed in the recommendation. Mayor Roberts commented that it might be best to make a motion to replace the siding and windows not to exceed \$20,000.

Motion by Smith, Second by Longanecker to approve replacement of the siding and windows at the Edgerton Community Museum not to exceed \$20,000.

Motion was approved, 4-0.

### **9. CONSIDER ORDINANCE APPROVING THE DESCRIPTION AND SURVEY OF LANDS NECESSARY FOR ACQUISITION OF EASEMENTS AND ROAD RIGHT-OF-WAY NEEDED FOR CONSTRUCTING HOMESTEAD LANE/207<sup>TH</sup> STREET IMPROVEMENTS AND ASSOCIATED IMPROVEMENTS**

Beth Linn, City Administrator, introduced the Ordinance in regards to the Homestead Lane/207<sup>th</sup> Street Project. The Project requires acquisition of rights-of-way and easements from several property owners along the corridor. Requests to grant rights-of-way and easements were mailed to property owners on August 31st with a request to have signed easements or rights-of-way returned by October 1st. Staff has met with or spoken to several of those property owners. Several property owners have signed the requested easements. Staff continues to negotiate easements with property owners.

On September 27, 2018, City Council passed Resolution No. 09-27-18B, which confirmed the necessity for condemnation and authorized the preparation of survey and legal descriptions. As mentioned at the September 27th, 2018 City Council meeting, staff included any remaining easements not acquired by the October 18, 2018 City Council meeting in the included draft ordinance to authorize the use of condemnation. Neither of these actions prevent the City from continuing to negotiate the easements with property owners.

Motion by Longanecker, Second by Brown to approve Ordinance number as next assigned by City Clerk (1090).

Motion was approved, 4-0.

### **10. CONSIDER EASEMENTS AND RIGHT OF WAY AGREEMENTS**



Beth Linn, City Administrator, introduced the Easements and Right Of Way Agreements that have been arranged between the City and property owners: Gary K. Bottoms; Karen A. Breeding and Anthony D. Breeding.

Motion by Longanecker, Second by Smith to accept easements and right of way agreements.

Motion was approved, 4-0.

#### **11. Report by the City Administrator**

- November City Council meeting schedule

First meeting in November may be only meeting. Mayor Roberts recommended cancelling second meeting. Mayor Roberts stated that second meeting could be rescheduled if need be around 3<sup>rd</sup> or 5<sup>th</sup> week in November.

Motion by Longanecker, Second by Brown to cancel November 22<sup>nd</sup>, 2018 City Council meeting.

Motion was approved, 4-0.

#### **15. Report by the Mayor**

Five (5) meetings left for the Transportation Task Force.

#### **16. Future Meeting/Event Reminders:**

- October 25<sup>th</sup>: 7PM – City Council
- October 28<sup>th</sup>: 7PM – Halloween Party
- November 8<sup>th</sup>: 7PM – City Council Meeting
- November 13<sup>th</sup>: 7PM – Planning Commission
- November 21<sup>st</sup>: Noon – Senior Lunch
- November 22<sup>nd</sup>: 7PM – City Council Meeting – Cancelled
- November 22<sup>nd</sup> and 23<sup>rd</sup> – Thanksgiving, City Offices Closed

#### **19. Adjourn**

Motion by Brown, Second by Smith to adjourn.

Motion was approved 4-0.

The meeting adjourned at 7:35 pm.

## City Council Action Item

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**Council Meeting Date:** October 25, 2018

**Agenda Item #:**

**Department:** Community Development

### **Agenda Item: Consider Application FP2018-04, Final Plat, Logistics Park Kansas City Southwest (IP XXIII)**

**Background/Description of Item:** The City of Edgerton has received application FP-2018-04 for the Final Plat of Logistics Park Kansas City Southwest, generally located at the northeast corner of the intersection of 199<sup>th</sup> and Four Corners Road.

The final plat includes approximately 116 acres, excluding right of way, broken down as follows:

- Lot 1 – 87.90 acres
- Tract A – 3.34 acres
- Tract B – 2.40 acres
- Tract C – 22.50 acres
- Total – 116.14 acres

Rezoning of this property from Johnson County RUR to City of Edgerton L-P Logistics Park was recommended for approval by the Edgerton Planning Commission on May 8, 2018 and approved by the Governing Body on May 23, 2018. The City's Unified Development Code (UDC) defines L-P as limited multimodal industrial zone created to support activities related to truck, rail and other transport services.

Staff, including City Engineer, has reviewed the Final Plat submittal for compliance with the approved Preliminary Plat and requirements in Section 13.3 of Article 13 of the Edgerton UDC. The application was reviewed by the Edgerton Planning Commission on October 9, 2018. Staff review comments detailed in the attached Staff Report required some corrections to the originally submitted Final Plat. The primary item outlined by staff relates to the cul-de-sac bulb design on Essex Road.

The applicant re-submitted a Final Plat with corrections on October 18, 2018. Staff and the City Engineer have reviewed this revised submission and the required corrections have been made.

The Planning Commission recommends approval of Application FP2018-04 for Final Plat of

Logistics Park Kansas City Southwest subject to compliance with all items listed in the Staff Report, dated October 9, 2018 along with the following stipulations:

1. The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body.
2. Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements.
3. A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements.
4. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax.
5. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.
6. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.

**Related Ordinance(s) or Statue(s):** K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code

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**Funding Source:** N/A

**Budget Allocated:** N/A

**Finance Director Approval:** N/A

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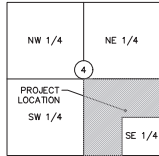
<p><b>Recommendation: Approve Application FP2018-04, Final Plat, Logistics Park Kansas City Southwest, generally located in the northeast corner of the intersection of 199<sup>th</sup> Street and Four Corners Road.</b></p>
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**Enclosed:**

- Revised Final Plat received October 18, 2018
- Staff Report from October 9, 2018 Planning Commission including initial Final Plat and Application FP2018-04
- Draft minutes of October 9, 2018 Planning Commission Meeting

**Prepared by:** Katy Crow, Development Services Director

SE 1/4, SEC. 4 - Twp. 15 S. - Rge. 22 E.  
EDGERTON, JOHNSON COUNTY, KANSAS



PROPERTY DESCRIPTION

## DEDICATION

LOGISTICS PARK KANSAS CITY SOUTHWEST

AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONSTRUCT, USE AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION OR MAINTENANCE AND USE OF CONDUITS, WATER, GAS, SEWER PIPES, POLES, WIRES, DRAINAGE FACILITIES, IRRIGATION SYSTEMS, DUCTS AND CABLES, AND SIMILAR FACILITIES, UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR "U.E." IS HEREBY GRANTED TO THE CITY OF EDGEMONT, KANSAS WITH SUBORDINATE USE OF THE SAME BY OTHER GOVERNMENT ENTITIES AND PUBLIC UTILITIES AS MAY BE AUTHORIZED BY STATE LAW TO USE SUCH EASEMENT FOR SAID PURPOSES. UTILITY EASEMENTS SHALL BE KEPT CLEAR OF OBSTRUCTIONS THAT IMPAIR THE STRENGTH OR INTERFERE WITH THE USE AND/OR MAINTENANCE OF PUBLIC UTILITIES LOCATED WITHIN THE EASEMENT.

AREAS DESIGNATED ON THE ACCOMPANYING PLATS AS PEDESTRIAN ACCESS EASEMENT OR "P.E." ARE HEREBY DEDICATED TO THE PUBLIC FOR THE PURPOSE OF PEDESTRIAN ACCESS. NO FENCE, WALL, PLANTING, STRUCTURE OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN SAID P.E. WITHOUT APPROVAL OF SAID CITY COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF EDGERTON, KANSAS.

NO ACCESS WILL BE PERMITTED TO HOMESTEAD LANE.

THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACTS OF LAND HEREBY CONSENT AND AGREE THAT THE BOARD OF COUNTY COMMISSIONERS AND THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, SHALL HAVE THE POWER TO RELEASE SUCH LAND PROPOSED TO BE DEDICATED FOR PUBLIC USE FROM THE LIEN AND EFFECT OF ANY SPECIAL ASSESSMENTS, AND THAT THE AMOUNT OF UNPAID SPECIAL ASSESSMENTS ON SUCH LAND DEDICATED, SHALL BE BECOME AND REMAIN A LIEN ON THIS LAND FRONTING AND ABUTTING ON SUCH DEDICATED PUBLIC WAY OR THOROUGHFARE.

THIS PLAT AND SURVEY OF LOGISTICS PARK KANSAS CITY SOUTHWEST WERE EXECUTED BY OLSSON ASSOCIATES, INC.  
1301 BURLINGTON STREET #100, NORTH KANSAS CITY, MISSOURI 64116.

I HEREBY CERTIFY, THAT THE PLAT OF LOGISTICS PARK KANSAS CITY SOUTHWEST SUBDIVISION IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION ON JULY 12, 2018, AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT KANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE KANSAS BOARD OF TECHNICAL PROFESSIONS. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.



**OLSSON®**  
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SHEET  
1 of 3

FINAL PLAT OF  
LOGISTICS PARK KANSAS CITY SOUTHWEST  
SE 1/4, SEC. 4-T.15S.-R.22E.  
EDGERTON, JOHNSON COUNTY, KANSAS

APPROVALS

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2018

JOHN DALEY, CHAIRPERSON

ANDREW MERRIMAN, SECRETARY

APPROVED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2018

DONALD ROBERTS, MAYOR

ATTEST: RACHEL JAMES, CITY CLERK

APPROVED BY THE ZONING ADMINISTRATOR, ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2018

KATY CROW, ZONING ADMINISTRATOR

IN WITNESS WHEREOF:

EDGERTON LAND HOLDING COMPANY, LLC, A KANSAS LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2018.

EDGERTON LAND HOLDING COMPANY, LLC, A KANSAS LIMITED LIABILITY COMPANY.

NATHANIEL HAGEDORN, MANAGER

STATE OF \_\_\_\_\_ SS: COUNTY OF \_\_\_\_\_

BE IT REMEMBERED THAT ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, CAME NATHANIEL HAGEDORN, MANAGER OF EDGERTON LAND HOLDING COMPANY, LLC TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS MANAGER OF EDGERTON LAND HOLDING COMPANY, LLC, A KANSAS LIMITED LIABILITY AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID LIMITED LIABILITY COMPANY.

IN WITNESS WHEREOF:

I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL IN THE DATE HEREIN LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

DATE OF SURVEY

07-20-2018

Removed Landscape Easement & Reverted Easement Street 2018.10.18

Added No Access Markers 2018.10.18

drawn by: JASON S. ROUDEBUSH

checked by: JEM

approved by: JEM

project no.: 1518-1518

file name: V:\PFT\_01102\0001

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Olsson Associates, Inc., 11415 S. Rte. 141, Suite 114, North Kansas City, MO 64116

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Fax: 816.287.1800

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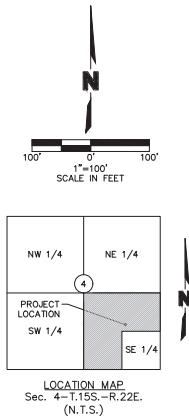
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Olsson Associates, Inc., 11415 S. Rte. 141, Suite 114, North Kansas City, MO 64116

USER: jmcms  
DATE: 10/18/2018 1:50:01 PM  
FILE: 1001-1500-018-1162-40-Design\Survey\Survey\Sheets\Plot\V\_P1\_81162.dwg  
DATE: 10/18/2018 1:50:01 PM



LOCATION MAP  
Sec. 4-T.15S.-R.22E.  
(N.T.S.)

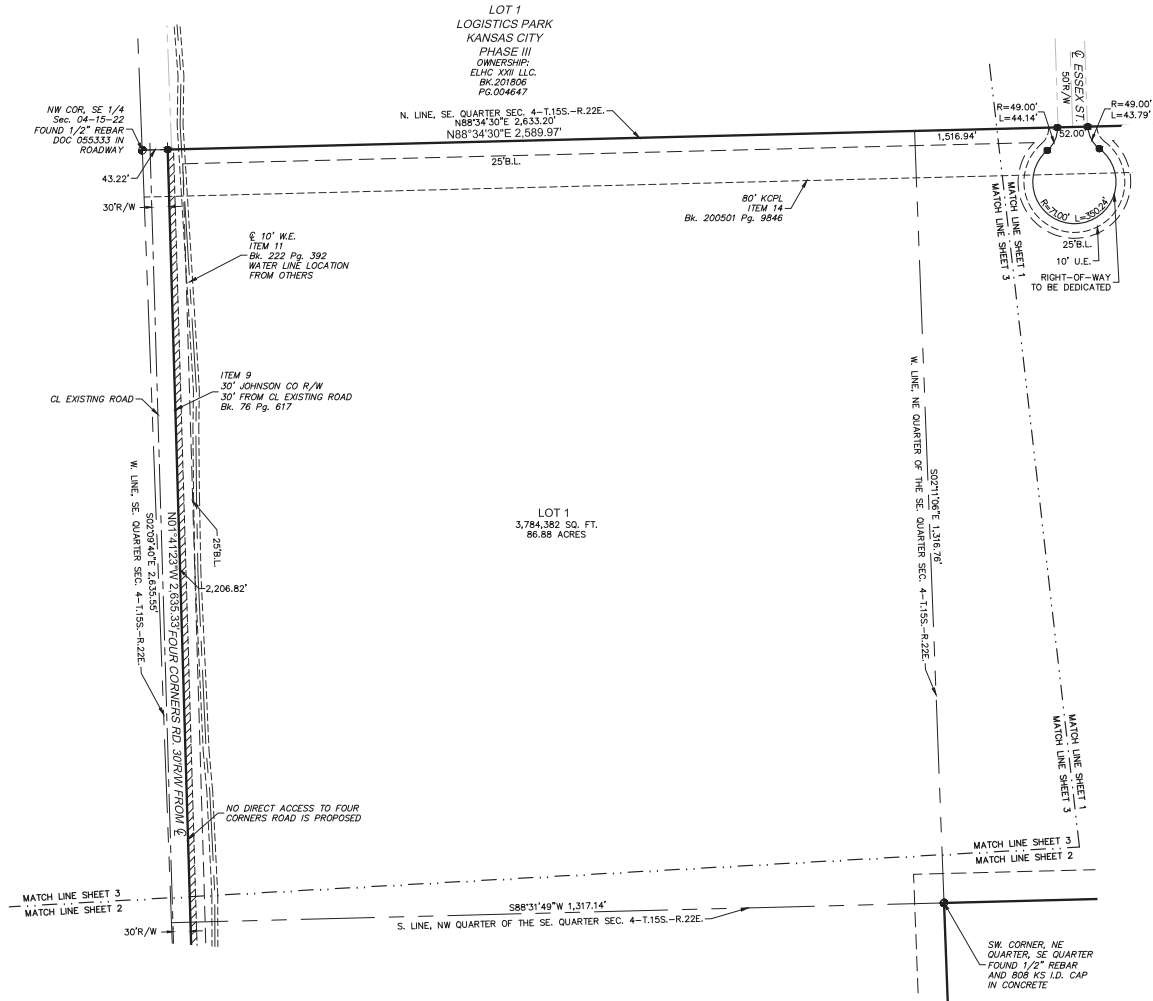
- LEGEND
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- B.L. BUILDING SETBACK
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  - I.T.B. INITIAL TANGENT BEARING
  - R/W RIGHT OF WAY

DEVELOPER:  
EDGERTON LAND HOLDING COMPANY, LLC.  
4825 NW 41ST STREET, SUITE 500  
RIVERSIDE, MO 64150

#### SURVEYORS NOTES:

- PROPERTY INFORMATION REFERENCING THIS SURVEY WAS TAKEN FROM THE COMMITMENT FOR TITLE INSURANCE REPORT, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NC5-915182-KCTY, EFFECTIVE JULY 10, 2018 AT 8:00 A.M.
- BEARINGS USED HEREON ARE BASED ON THE KANSAS STATE PLANE COORDINATE SYSTEM, NAD 1983, NORTH ZONE USING THE MODOT VRS GPS NETWORK.

## FINAL PLAT OF LOGISTICS PARK KANSAS CITY SOUTHWEST SE 1/4, SEC. 4-Twp. 15 S.- Rge. 22 E. EDGERTON, JOHNSON COUNTY, KANSAS



LOT INFORMATION					
LOT NO.	LOT AREA	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	BUILDING ENVELOPE
1	3,784.382 SQ. FT. 86.88 AC.	25'	25' WEST SIDE 50' SE SIDE	25'	3,000.042 SQ. FT. 69.43 AC.
TRACT A	153,792 SQ. FT. 3.53 AC.	N/A	N/A	N/A	N/A
TRACT B	105,749 SQ. FT. 2.43 AC.	N/A	N/A	N/A	N/A
TRACT C	878,673 SQ. FT. 22.47 AC.	N/A	N/A	N/A	N/A

THIS PLAT AND SURVEY OF LOGISTICS PARK KANSAS CITY SOUTHWEST WERE EXECUTED BY OLSSON ASSOCIATES, INC. 1301 BURLINGTON STREET #100, NORTH KANSAS CITY, MISSOURI 64116.

I HEREBY CERTIFY: THAT THE PLAT OF LOGISTICS PARK KANSAS CITY SOUTHWEST SUBDIVISION IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION ON JULY 12, 2018, AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT KANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE KANSAS BOARD OF TECHNICAL PROFESSIONS. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.



OLSSON ASSOCIATES, INC. KS CLS 114  
Jason S. Roubesh, KS PLS 1415  
October 18, 2018  
jroubesh@olsson.com

DATE OF SURVEY	
07-22-2018	
Removed Landscape Easement & Restored Easement Street 2018.10.18	
Added back corner 2018.2018.10.18	
drawn by: NEWISH	
checked by: JRM	
approved by: JRM	
project no.: 10181162	
file name: V_P1_81162.dwg	

**OLSSON ASSOCIATES**  
Olsson Associates, Inc. - Land Surveying - KS 114  
Jason S. Roubesh, KS PLS 1415  
North Kansas City, MO 64116  
www.olssonassociates.com  
FAX: 816.287.1833

SHEET  
3 of 3

## STAFF REPORT

October 9, 2018

To: Edgerton Planning Commission  
Fr: Katy Crow, Development Services Director  
Re: **FP2018-04** Final Plat for *LPKC Southwest (IP XXIII)*, generally located in the northeast corner of the intersection of 199<sup>st</sup> Street and Four Corners Road.

### APPLICATION INFORMATION

**Applicant:** Chris Chancellor representing  
NPD Management, LLC  
4825 NW 41<sup>st</sup> Street, Suite 500  
Riverside, MO 64150, &

**Property Owner:** Edgerton Land Holding Company, LLC  
4825 NW 41<sup>st</sup> Street, Suite 500  
Riverside, MO 64150

**Requested Action:** Final Plat approval for *LPKC Southwest (IP XXIII)*

**Legal Description:** SE Quarter, Section 4, Township 15 South, Range 22 East; see attached Final Plat for complete legal description.

**Site Address/Location:** Generally located in the northeast corner at the intersection of 199<sup>st</sup> Street and Four Corners.

**Existing Zoning and Land Uses:** Zoned L-P, Logistic Park District; Farming.

**Existing Improvements:** None

**Site Size:** Lot 1 – 87.90 acres  
Tract A – 3.34 acres  
Tract B – 2.40 acres  
Tract C – 22.50 acres  
Total – 116.14 acres

### PROJECT DESCRIPTION/INFRASTRUCTURE AND SERVICES

At the time of Preliminary Plat review at the June 12, 2018 Planning Commission Meeting, the applicant submission for this project indicated two (2) lots and four (4) tracts. In addition, proposed road access called for two (2) entrances off 199<sup>th</sup> Street and one via Essex Street, which would be extended from approximately 193<sup>rd</sup> street south to 199<sup>th</sup> street. Essex Street road access included a curvature that would have required an offset road alignment as the street continued through the property.

At this time, the current request is for Final Plat approval (LPKC Southwest) to subdivide and plat land to support a project seeking to construct and operate a large warehouse/distribution building. The existing parcel will be platted into one (1) lot and three (3) tracts. The south side of Lot 1 would have frontage along 199<sup>th</sup> Street and the west side would have frontage along Four Corners Road. Tract C has frontage on, but no access to, Homestead Lane.

- a. Access to the proposed new lot would be as follows:
  1. 199<sup>st</sup> Street
    - i. Lot 1 has frontage along the north side of 199<sup>st</sup> Street. Access from 199<sup>th</sup> street has been reduced to one entrance and it would be for vehicle traffic only, no truck traffic.
  2. Essex Street
    - i. Essex Street would be extended straight south through Lot 1 to allow truck traffic access to project.
  3. Homestead Lane
    - i. No access to Homestead Lane is sought.
  4. Four Corners Road
    - i. Lot 1 has frontage along the east side of Four Corners Road, however the development is not requesting access to Four Corners Road.
- b. The property is located within the Bull Creek Watershed. Tract C contains portions of a Bull Creek tributary stream and portions of the 100-year floodplain and floodway.
- c. Utilities and service providers.
  1. Johnson County Rural Water District #7.
  2. Sanitary Sewer - City of Edgerton.
  3. Storm Sewer – City of Edgerton.
  4. Electrical Service - Kansas City Power & Light.
  5. Gas Service – Kansas Gas Service.
  6. Telephone & Cable – Century Link.
- d. Police is provided by the city of Edgerton through the Johnson County Sheriff's Office.
- e. Fire protection is provided by Johnson County Fire District #1.

## **FINAL PLAT REVIEW**

Staff has reviewed the Final Plat submitted for compliance with the approved Final Plat requirements in Section 13.3 of Article 13 of the Edgerton UDC. Review comments are listed below.

1. Individual notations and a table showing: lot and tract areas, setbacks, and building envelopes. *Final Plat sheets do not contain a table reflecting lot and tract areas. **Update Final Plat.***
2. The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, and monuments found or set. All P.I.'s corners, boundaries must be monumented with a 1/2" x 24" metal bar. *Confirm monuments have been set. **Update Final Plat.***
3. All easements with widths, and roads with curve data.
  - a. *Essex Road right-of-way should be extended south and dedicated as part of this plat. City will work with applicant to determine adequate R/W for truck access.*
  - b. *199<sup>th</sup> Street right-of-way should be dedicated as part of this plat.*
  - c. *Applicant and City will work together on the development of future Four Corners Road along with R/W dedication.*
  - d. *Easements for proposed sanitary sewer have not been shown.*



***City Engineer is still reviewing final design of cul-de-sac bulb. Final cul-de-sac design will need to meet City specifications and address City Engineer's comments. Update Final Plat.***

4. Ingress/egress limitations if required.
  - a. *No access to Homestead Road right-of-way is proposed.*
  - b. *No access to Four Corners Road right-of-way is proposed.*  
***Final Plat should show no access hatch and have a note which indicates that no access to either Homestead or Four Corners will be allowed. Update Final Plat.***
5. Certificate of the Governing Body with City Clerk's attest and Seal. *Reflect current City Clerk's name as Rachel James. Update Final Plat.*
6. Edgerton City Planning Commission Chair and Secretary approval. *Reflect current Planning Commission Secretary's name as Andrew Merriman. Update Final Plat.*
7. Certificate of the Zoning Administrator. *Reflect current Zoning Administrator as Katy Crow. Update Final Plat.*

## **RECOMMENDATION**

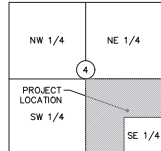
City staff recommends **approval** of FP2018-04 Final Plat for *LPKC Southwest*, subject to compliance with the following stipulations:

1. The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body.
2. Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements.
3. A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements.
4. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax.
5. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.
6. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.

## **ATTACHMENTS**

- Application FP2018-04
- Final Plat, *LPKC Southwest (IP XXIII)*.

SE 1/4, SEC. 4 - Twp. 15 S. - Rge. 22 E.  
EDGERTON, JOHNSON COUNTY, KANSAS



TRACT 1:

THE NORTH HALF OF THE SOUTHEAST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 15, RANGE 22 IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART IN STREETS AND ROADS AND EXCEPT THAT PART DESCRIBED AS FOLLOWS:

BEGINNING TWO HUNDRED SEVENTY (270) FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION FOUR (4), TOWNSHIP FIFTEEN (15) SOUTH, RANGE TWENTY-TWO (22) EAST, FOR A POINT OF BEGINNING: THENCE NORTH SEVENTY-FIVE (75) FEET; THENCE EAST FIFTY (50) FEET; THENCE SOUTH SEVENTY-FIVE (75) FEET; THENCE WEST FIFTY (50) FEET TO THE POINT OF BEGINNING, ALL IN JOHNSON COUNTY, KANSAS, EXCEPT THAT PART IN STREETS AND ROADS.

TRACT 2:

BEGINNING TWO HUNDRED SEVENTY (270) FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION FOUR (4), TOWNSHIP FIFTEEN (15) SOUTH, RANGE TWENTY-TWO (22) EAST, FOR A POINT OF BEGINNING: THENCE NORTH SEVENTY-FIVE (75) FEET; THENCE EAST FIFTY (50) FEET; THENCE SOUTH SEVENTY-FIVE (75) FEET; THENCE WEST FIFTY (50) FEET TO THE POINT OF BEGINNING, IN THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART IN STREETS AND ROADS.

SURVEYOR SUGGESTED METES AND BOUNDS DESCRIPTION:

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 22 EAST IN THE CITY OF EDGEMONT, JOHNSON COUNTY, KANSAS, BEING BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER, THENCE EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE EAST LINE OF THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 88°31'49" WEST ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, 1,571.74 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 60°00'00" WEST ON THE EAST LINE OF SAID NORTHEAST QUARTER, 1,276.75 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 19TH STREET, AS NOW ESTABLISHED; THENCE LEAVING SAID EAST LINE, SOUTH 88°29'09" WEST ON SAID NORTH RIGHT-OF-WAY LINE, 1,265.79 FEET TO A POINT ON THE NORTH LINE OF SAID NORTH RIGHT-OF-WAY LINE, AS NOW ESTABLISHED; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE, 2,607.03 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 88°34'30" WEST ON SAID NORTH LINE, 2,559.97 FEET TO THE POINT OF BEGINNING, CONTAINING 5,065,785 SQUARE FEET OR 116.29 ACRES, MORE OR LESS.

THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT OF LAND HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS.

THE UNDERSIGNED PROPRIETORS OF SAID PROPERTY SHOWN ON THIS PLAT DO HEREBY DEDICATE FOR PUBLIC USE AND PUBLIC WAYS AND THOROUGHFAIRES, ALL PARCELS AND PARTS OF LAND INDICATED ON SAID PLAT AS STREETS, TERRACES, PLACES, ROADS, DRIVES, LANES, PARKWAYS, AVENUES AND ALLEY NOT HERETOFORE DEDICATED. WHERE PRIOR EASEMENT RIGHTS HAVE BEEN GRANTED TO ANY PERSON, UTILITY OR CORPORATION ON SAID TRACT OF LAND SO DEDICATED, AND ANY PRIOR LANES, ALLEYS AND WIRELESS CONDUITS, DUCTS OR CABLES HAVE BEEN INSTALLED THEREON, THEN AND THEREAFTER THEY ARE REQUIRED TO BE RELOCATED IN ACCORDANCE WITH PROPOSED IMPROVEMENTS AS NOW SET FORTH, THE UNDERSIGNED PROPRIETOR HEREBY ABSOLVES AND AGREES TO INDEMNIFY THE CITY OF EDGERTON, KANSAS, FROM ANY EXPENSE INCIDENT TO THE RELOCATION OF ANY SUCH EXISTING UTILITY INSTALLATIONS WITHIN SAID PRIOR EASEMENT.

AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONSTRUCT, USE AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION OR MAINTENANCE AND USE OF CONDUITS, WATER, GAS, SEWER PIPES, POLES, WIRES, DRAINAGE FACILITIES, IRRIGATION SYSTEMS, DUCTS AND CABLES, AND SIMILAR FACILITIES, UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR "U.E." IS HEREBY GRANTED TO THE CITY OF EDGEMONT, KANSAS WITH SUBORDINATE USE OF THE SAME BY OTHER GOVERNMENT ENTITIES AND PUBLIC UTILITIES AS MAY BE AUTHORIZED BY STATE LAW TO USE SUCH EASEMENT FOR SAID PURPOSES. UTILITY EASEMENTS SHALL BE KEPT CLEAR OF OBSTRUCTIONS THAT IMPAIR THE STRENGTH OR INTERFERE WITH THE USE AND/OR MAINTENANCE OF PUBLIC UTILITIES LOCATED WITHIN THE EASEMENT.

AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONSTRUCT, USE AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION, MAINTENANCE OR USE OF CONDUITS, SURFACE DRAINAGE FACILITIES, SUBSURFACE DRAINAGE FACILITIES, AND SIMILAR FACILITIES, UPON, OVER AND THROUGH THOSE AREA OUTLINED AND DESIGNATED ON THE IS PLAT AS "DRAINAGE EASEMENT" OR "D.E." IS HEREBY GRANTED TO THE CITY OF EDGERTON, KANSAS. UTILITY EASEMENT SHALL BE KEPT CLEAR OF OBSTRUCTIONS THAT IMPAIR STRENGTH OR INTERFERE WITH THE USE AND/OR MAINTENANCE OF PUBLIC UTILITIES LOCATED WITHIN THE EASEMENT.

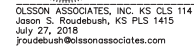
AREAS DESIGNATED ON THE ACCOMPANYING PLATS AS PEDESTRIAN ACCESS EASEMENT OR "P.E." ARE HEREBY DEDICATED TO THE PUBLIC FOR THE PURPOSE OF PEDESTRIAN ACCESS. NO FENCE, WALL, PLANTING, STRUCTURE OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN SAID P.E. WITHOUT APPROVAL OF SAID CITY COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF EDGERTON, KANSAS.

NO ACCESS WILL BE PERMITTED TO HOMESTEAD LANE.

THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACTS OF LAND HEREBY CONSENT AND AGREE THAT THE BOARD OF COUNTY COMMISSIONERS AND THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS, SHALL HAVE THE POWER TO TAX AND PROPOSED TO BE DEDICATED FOR PUBLIC USE FROM THIS TRACT FROM THE ASPECT OF ANY SPECIAL ASSESSMENTS, AND THAT THE AMOUNT OF UNPAID SPECIAL ASSESSMENTS ON SUCH LAND DEDICATED, SHALL BE BECOME AND REMAIN A LIEN ON THIS LAND FRONTING AND ABUTTING ON THOUGH DEDICATED PUBLIC WAY OR THOROUGHFARE.

THIS PLAT AND SURVEY OF LOGISTICS PARK KANSAS CITY SOUTHWEST WERE EXECUTED BY OLSSON ASSOCIATES, INC.  
1301 BURLINGTON STREET #100, NORTH KANSAS CITY, MISSOURI 64116.

I HEREBY CERTIFY, THAT THE PLAT OF LOGISTICS PARK KANSAS CITY SOUTHWEST SUBDIVISION IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT KANSAS MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE KANSAS BOARD OF TECHNICAL PROFESSIONS. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.



**OLSSON®**  
ASSOCIATES

en Associates, Inc. • Land Surveying • KS 114  
Burlington, Suite 100  
Tel. 816.587.4320  
Fax 816.587.1393  
Kansas City, MO 64116  
[www.olsonassociates.com](http://www.olsonassociates.com)

SHEET  
1 of 3

FINAL PLAT OF  
LOGISTICS PARK KANSAS CITY SOUTHWEST  
SE 1/4, SEC. 4-Twp. 15 S.- Rge. 22 E.  
EDGERTON, JOHNSON COUNTY, KANSAS

APPROVALS

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018

JOHN DALEY, CHAIRPERSON

ERIK ERAZO, SECRETARY

APPROVED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018

DONALD ROBERTS, MAYOR

ATTEST: JANICE RAWLES, CITY CLERK

APPROVED BY THE ZONING ADMINISTRATOR, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018

ACTING ZONING ADMINISTRATION - SCOTT PETERSON

IN WITNESS WHEREOF:

EDGERTON LAND HOLDING COMPANY, LLC, A KANSAS LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018.

EDGERTON LAND HOLDING COMPANY, LLC, A KANSAS LIMITED LIABILITY COMPANY.

NATHANIEL HAGEDORN, MANAGER

STATE OF \_\_\_\_\_ SS: COUNTY OF \_\_\_\_\_

BE IT REMEMBERED THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, CAME NATHANIEL HAGEDORN, MANAGER OF EDGERTON LAND HOLDING COMPANY, LLC TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS MANAGER OF EDGERTON LAND HOLDING COMPANY, LLC, A KANSAS LIMITED LIABILITY AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID LIMITED LIABILITY COMPANY.

IN WITNESS WHEREOF:

I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL IN THE DATE HEREIN LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

DATE OF SURVEY  
07-27-2018

drawn by: NEWBY  
checked by: JEM  
approved by: JEM  
project no.: 018-150  
file name: V-018-150-000

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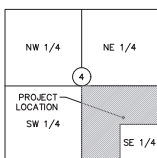
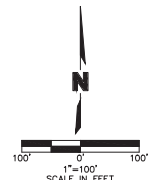
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OLSSON ASSOCIATES, INC. KS CLS 114  
Jason S. Roudebush, KS PLS 1415  
July 27, 2018  
jroudebush@olssonassociates.com



SHEET  
2 of 3



LOCATION MAP  
Sec. 4-T15S-R22E.  
(N.T.S.)

- LEGEND
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  - R/W RIGHT OF WAY

SURVEYORS NOTES:

- PROPERTY INFORMATION REFERENCING THIS SURVEY WAS TAKEN FROM THE COMMITMENT FOR TITLE INSURANCE REPORT, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-915182-KCTY, EFFECTIVE JULY 10, 2018 AT 8:00 A.M.
- BEARINGS USED HEREON ARE BASED ON THE KANSAS STATE PLANE COORDINATE SYSTEM, NAD 1983, NORTH ZONE USING THE MDOOT VRS GPS NETWORK.

DEVELOPER:  
EDGERTON LAND HOLDING COMPANY, LLC.  
4825 NW 41ST STREET, SUITE 500  
RIVERSIDE, MO 64150

LOT 1  
LOGISTICS PARK  
KANSAS CITY  
PHASE III  
OWNERSHIP:  
ELHC XXII LLC.  
BK.201806  
PG.004647

80' KCPL  
ITEM 14-  
Bk. 200501 Pg. 9846

@ 10' W.E.  
 ITEM 11  
 -Bk. 222 Pg. 392  
 WATER LINE LOCATION  
 FROM OTHERS

ITEM 9  
30' JOHNSON CO R/W  
30' FROM CL EXISTING ROAD  
Bk. 76 Pg. 617

LOT 1  
3,832,354 SQFT.  
87.9 ACRES

W. LINE, NE QUARTER OF THE SE. QUARTER S

MATCH LINE SHEET 3

MATCH LINE SHEET 3

MATCH LINE SHEET 3  
MATCH LINE SHEET 2

SW. CORNER, NE  
QUARTER, SE QUARTER  
- FOUND 1/2" REBAR  
AND 808 KS I.D. CAP  
IN CONCRETE

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July 27, 2018  
jroudebush@olssonassociates.com

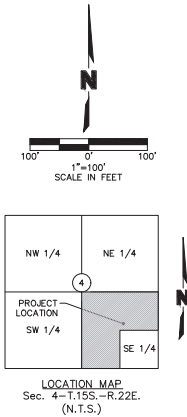
DATE OF SURVEY  
07-27-2018

07-27-2018

Drawn by: NRWRH  
 Surveyed by: SS/RD/RN/CC  
 Checked by: JPM  
 Approved by: JSR  
 Project no.: 01B-1162  
 File name: V\_FPT\_81162.DWG

**OLSSON<sup>®</sup>**  
**ASSOCIATES**

SHEET  
3 of 3



### LEGEND

- SURVEY MARKERS**
- FND FOUND PROPERTY CORNER  
(MONUMENTATION AS NOTED)
- ⊕ SCR FOUND SECTION CORNER  
MONUMENT AS NOTED
- SET SET 1/2" REBAR WITH PLASTIC CAP MARKED CLS 114  
IN CONCRETE (1/2" BARS WITH CAPS WILL  
ALSO BE SET ON ALL LOT AND TRACT CORNERS)

## BOUNDARIES

EASEMENTS & SETBACKS  
BUILDING SETBACK  
SANITARY SEWER EASEMENT  
STORM DRAINAGE EASEMENT  
UTILITY EASEMENT  
KANSAS CITY POWER & LIGHT  
WATER EASEMENT  
LANDSCAPE EASEMENT

## GENERAL

R	RADIUS
L	ARC DISTANCE
D	DELTA / CENTRAL ANGLE
CL	CENTERLINE
I.T.B.	INITIAL TANGENT BEARING
R/W	RIGHT OF WAY

SURVEYORS NOTES:

1. PROPERTY INFORMATION REFERENCING THIS SURVEY WAS TAKEN FROM THE COMMITMENT FOR TITLE INSURANCE REPORT, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-915182-KCTY, EFFECTIVE JULY 10, 2018 AT 8:00 A.M.

2. BEARINGS USED HEREON ARE BASED ON THE KANSAS STATE PLANE COORDINATE SYSTEM, NAD 1983, NORTH ZONE USING THE MODOT VRS GPS NETWORK.

DEVELOPER:  
EDGERTON LAND HOLDING COMPANY, LLC.  
4825 NW 41ST STREET, SUITE 500  
RIVERSIDE, MO 64150

DWG: F:\2018\1001-1500\018-1162\40-Design\Survey\SRV\Sheets\Plat\V\_FPT\_81162.dwg  
DATE: Jul 26, 2018 1:27pm  
USER: rthunt



NAME OF PROPOSED SUBDIVISION: Logistics Park Kansas City Southwest

LOCATION OR ADDRESS OF SUBJECT PROPERTY: At the intersection of W. 199th St. and Four Corners Rd.

LEGAL DESCRIPTION: Southeast Quarter of Section 4, Township 15, Range 22

CURRENT ZONING ON SUBJECT PROPERTY: LT CURRENT LAND USE: Farm land

TOTAL AREA: 116.3 Acres NUMBER OF LOTS: 4 AVG. LOT SIZE: 1,266,446 Sq. Ft.

DEVELOPER'S NAME(S): Edgerton Land Holding Company, LLC. PHONE: 816-888-7380

COMPANY: Edgerton Land Holding Company, LLC. FAX: \_\_\_\_\_

MAILING ADDRESS: 4825 NW 41st St., Suite 500, Riverside, MO 64150

Street City State Zip

PROPERTY OWNER'S NAME(S): same PHONE: \_\_\_\_\_

COMPANY: \_\_\_\_\_ FAX: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

Street City State Zip

ENGINEER'S NAME(S): Jeffrey P. Means PHONE: 816-587-4320

COMPANY: Olsson Associates FAX: 816-587-1393

MAILING ADDRESS: 1301 Burlington, Suite 100, North Kansas City, MO 64116. email: jmeans@olssonassociates.com

Street City State Zip

SIGNATURE OF OWNER OR AGENT: 

If not signed by owner, authorization of agent must accompany this application.

NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 1/2 x 11) must also be submitted with the application.

**FOR OFFICE USE ONLY**

Case No.: FP 2018-04 Amount of Fee Paid: \$ 310.00 Date Fee Paid: 7/27/18 Receipt # 64943964

Received By: AC [Signature] Date of Hearing: 6/12/18

**FINAL PLAT INSTRUCTIONS**

**SUBMITTAL DEADLINE:** The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.



**PLANNING COMMISSION REVIEW AND DECISION:** The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The Planning Commission shall review the final plat and other material submitted with it to determine conformity preliminary plat. The Planning Commission shall act upon the final plat within ninety (90) days after submission, unless the subdivider shall waive or consent to an extension of the ninety (90) day period.

**GOVERNING BODY APPROVAL:** Following the approval of a final plat by the Planning Commission, the Governing Body shall review the instrument for dedications and reservations and assure that the final plat and construction plans for all proposed streets, sidewalks, storm water sewers, sanitary sewers and water mains meet the standards of the City of Edgerton. The Governing Body may either approve the final plat, return the final plat and/or construction plans to the applicant with instructions and specifications to conform to City standards, or deny the final plat and/or construction plans with a refusal to accept dedication. If the Governing Body denies the final plat and/or construction plans, a set of written findings must be given to the applicant within 30 (thirty) days.

**RECORDING OF FINAL PLAT:** Upon approval of a final plat by the Governing Body, the applicant shall record the plat with the Register of Deeds within a period of one year. If the final plat is not recorded within one year from the date of approval by the Governing Body, it shall be considered null and void. Before any final plat shall be signed by the Zoning Administrator and filed by the Register of Deeds, the applicant shall submit a certificate of title indicating the ownership of all property within the bounds of the subdivision.

The applicant shall provide the Zoning Administrator with one copy of the final plat that was approved by the Governing Body on Mylar®. The applicant shall also return one copy of the final plat that was recorded by the Register of Deeds.

**FEES DUE BEFORE ENDORSEMENT OF FINAL PLAT:** Article 10 of Chapter IV of the Edgerton City Code imposes an excise tax \$0.10 per square foot of Final Plat. Prior to endorsement of any final plat, all excise taxes must be paid or City staff must determine that an exemption from payment prior to platting is applicable, all in accordance with Article 10 of Chapter IV of the City Code. In addition, a New Street Light Fee of \$250 each shall be submitted prior to the endorsement of any final plat.

**VESTING AND CONFLICTING REQUIREMENTS:** Initial rights for a final plat shall vest for a period of three (3) years. If all streets, sidewalks, storm water sewers, sanitary sewers and water mains have not been installed and the development of structures commenced after three (3) years, the final plat shall be considered null and void.

The requirements and standards in force at the time of the adoption of a final plat shall remain and shall continue to govern and not be set aside by the adoption of subsequent standards. Standards (such as setbacks) appearing on a plat which are greater than those imposed by this ordinance are valid, and shall be duly noted and enforced by building permits. Restrictive covenants are private instruments between buyer and seller. The Zoning Administrator does not enforce restrictive covenants unless such restrictions are part of a Planned Unit Development, or unless the City itself, as a condition of platting, is a party to such agreements. Nothing contained in these regulations is intended to void the obligation of any party to adhere to the terms of all contracts, conditions, and covenants of record.

**ASSURANCES:** Developers are required to install all streets, storm water sewers, sanitary sewers and water mains and other services to all lots (in a designated phase) as they appear on the final plat and/or construction plans prior to receiving a building permit from the Zoning Administrator. Developers are required to install all sidewalks on a lot as they appear on the final plat and/or construction plans prior to receiving a certificate of occupancy from the Zoning Administrator. Developers are also required to reimburse the City of Edgerton for the cost of all street signs, stop signs and speed limit signs.

Exceptions: The Zoning Administrator may issue building permits for lots in an approved subdivision when such lots have direct access to an existing public right-of-way and when, in his/her opinion, building construction would not interfere with the orderly process of the installation of facilities and utilities.

Financial Assurance: Prior to the commencement of any improvements, all required infrastructure (streets, sidewalks, storm water sewers, sanitary sewers, and water mains) must be assured by a financial instrument (performance and maintenance bond or special benefit district). Financial assurances must be made in a form and amount acceptable and approved by the City Attorney. Unless otherwise indicated by special resolution of the Governing Body, financial assurances shall be equal to the contract cost of purchase and installation of all facilities and utilities and valid for a period ending no less than two years after acceptance by the City of Edgerton. If substantial progress in installing the infrastructure is not evident within two hundred eighty (280) days after the approval of the final plat by the Governing Body, the City of Edgerton shall take appropriate action to exercise the financial assurance.



**Public Improvement Inspection Fee:** If a Developer is required to construct any public improvements, including streets, sidewalks, storm water sewers, sanitary sewers and water mains, that construction must be inspected by city staff or their designee. Developers are required to pay 3% of construction costs to the City for those inspections.

**As Built:** Prior to acceptance of public improvements by the City, the developer shall provide two (2) sets of prints for all public improvement projects, excluding sidewalks, corrected to show the project as constructed and shall accurately and completely denote all changes made during the construction. Each sheet within the prints shall be clearly marked as "Conforming to Construction Records" and shall include the date of revision and certifications by a Kansas licensed engineer. This set of plans shall be substantially similar to the set of construction plans that was approved by the Governing Body.

## CHECKLIST

The following items shall be included on the final plat.

- ☒ Scale, the same used for the preliminary plat; North point; vicinity map.
- ☒ The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract.
- ☒ The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumental with a 2" x 24" metal bar.
- ☒ A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1 in 5,000), with bearings and distances referenced to section or fractional section corners or other base line shown on the plat and readily reproducible on the ground.
- ☒ Individual notations and a TABLE showing: lot area, setbacks, and building envelopes.
- ☒ A number for each lot, starting (if practical) in the northwest corner.
- ☒ All easements with widths, and roads with curve data.
- ☐ Ingress/egress limitations, if required.
- ☒ The location of existing utility easements.
- ☒ A written legal description from the survey.
- ☒ An instrument of dedication for all roads and easements.
- ☒ Special notations required as a condition of platting by the Planning Commission.
- ☐ Approved phases – clearly delineated.
- ☐ Private travel easements.
- ☐ The Owner's Certificate with Notary Seal.
- ☐ Certificate of the Governing Body with City Clerk's attest and Seal.
- ☐ Edgerton City Planning Commission chair and secretary approval.
- ☐ Certificate of the Register of Deeds.
- ☐ Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor.
- ☐ Certificate of the Zoning Administrator.

EDGERTON CITY HALL  
PLANNING COMMISSION MEETING  
REGULAR SESSION  
October 9, 2018

The Edgerton Planning Commission met in regular session with Chair John Daley calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were: Commissioners John Daley, Tim Berger, Jeremy Little, and Charlie Crooks. Absent was Commissioner Andrew Merriman. Also present were: Mayor Donald Roberts, City Administrator Beth Linn, Development Services Director Katy Crow, and City Clerk Rachel James.

The City Clerk announced a quorum was present.

Commissioner Daley introduced the two new Commissioners: Jeremy Little and Charlie Crooks. Both Commissioners introduced themselves to the audience.

**CONSENT AGENDA**

Motion by Berger, seconded by Little, to approve the items as presented in the Consent Agenda. Motion was approved, 4-0.

**MINUTES**

- A. The minutes for Regular Session of August 14, 2018 were considered and approved.

**NEW BUSINESS**

**PUBLIC HEARING – ZA2018-08 (REZONING FOR ONE (1) PARCEL OF LAND  
GENERALLY LOCATED AT 310 W. 8<sup>TH</sup> STREET, EDGERTON, KS)**

A public hearing in regard to rezoning application, ZA2018-08, pertaining to the rezoning of one (1) parcel (containing approximately 1.43 acres) from non-designated zoning assignment to Edgerton R-1 Single Family Residence, located generally at 310 W. 8<sup>th</sup> Street, Edgerton, KS. Applicant: Victor R. Smith.

Katy Crow, Development Services Director, overviewed the history and reason for the rezoning request. She indicated the property was annexed in September 2014. She noted the rezoning is requested due to the fact the property does not contain a zoning designation in the Johnson County AIMS system. The parcel currently contains a single-family residence and pole barn.

Ms. Crow stated the applicant's request is for the R-1 Zoning District and that this is the most compatible zoning choice for the current property use. She also noted staff reviewed the application in respect to the Unified Development Code, laws of Kansas, and the "Golden Criteria."

Commissioner Daley opened the public hearing.



Commissioner Daley asked if anyone would like to comment. There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve the rezoning of one (1) parcel (containing approximately 1.43 acres) from non-designated zoning assignment to Edgerton R-1 Single Family Residence. The motion was approved 4-0.

**PUBLIC HEARING – ZA2018-06 (REZONING FOR FOUR (4) PARCELS OF LAND GENERALLY LOCATED SOUTH OF THE INTERSECTION OF WAVERLY ROAD AND 191<sup>ST</sup> STREET)**

A public hearing in regard to rezoning application, ZA2018-06, pertaining to the rezoning of four (4) parcels (containing approximately 30 acres) from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located South of the intersection of Waverly Road and 191<sup>st</sup> Street. Applicant: Christopher Stara, Agent

Katy Crow, Development Services Director, overviewed the history and reason for the rezoning request. Ms. Crow stated the property was annexed in September 2015. This zoning is being requested for future intermodal-related development. The property is located near the center of the LPKC park and is currently surrounded by existing LPKC operations on all sides. The rezoning is sought in order to allow for a project which would create more cargo container storage as well as additional office space.

Ms. Crow stated the applicant's request is for the L-P Logistics Park Zoning District and that this is the most compatible zoning choice for the current property use. Ms. Crow noted that the rezoning is compatible with the surrounding designation as the majority of the surrounding area has changed from rural to industrial. She also noted staff reviewed the application in respect to the Unified Development Code, laws of Kansas, and the "Golden Criteria."

Commissioner Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Commissioner Daley asked to be shown the location of the property on the large display map. Beth Linn, City Administrator, pointed out the property.

Motion by Berger, Second by Little to approve with the following stipulations: 1.) All infrastructure of the City shall be met; 2.) All platting requirements of the City shall be met; 3.) All Site Plan application requirements of the City shall be met; 4.) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 4-0.

**PUBLIC HEARING – ZA2018-07 (REZONING FOR TWO (2) PARCELS OF LAND GENERALLY LOCATED DIRECTLY NORTH 31800 W. 196<sup>TH</sup> STREET AND EAST OF 32285 W. 191<sup>ST</sup> STREET)**

A public hearing in regard to rezoning application, ZA2018-07, pertaining to the rezoning of two (2) parcels (containing approximately 30 acres) from Johnson County RUR Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located directly north of 31800 W. 196<sup>th</sup> Street. Applicant: Harold J. Curry, Trustee of the Curry Survivor's Trust.

Katy Crow, Development Services Director, overviewed the history of the property, which was annexed into the City in August 2018. This zoning is being requested for future intermodal-related development. The property is currently surrounded by LPKC property on the North and South sides. The East is vacant L-P zoned land and a commercial nursery to the West. The applicant is seeking rezoning to encourage potential logistics park development on these parcels.

Commissioner Crooks asked what is directly north of the property. Ms. Crow responded by saying the Gifford's Property which is zoned L-P.

Commissioner Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve with the following stipulations: 1.) All infrastructure of the City shall be met; 2.) All platting requirements of the City shall be met; 3.) All Site Plan application requirements of the City shall be met; 4.) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 4-0.

#### **FINAL PLAT – FP2018-04 (LPKC SOUTHWEST - IP XXIII)**

An application for Final Plat, FP2018-04, requesting approval of a final plat for Logistics Park Kansas City Southwest – IP XXIII, located at the northeast corner of the intersection of 199<sup>th</sup> Street and Four Corners Road, consisting of one (1) lot, and three (3) tracts, containing approximately 116.14 acres was considered. Applicant: Chris Chancellor representing NPD Management, LLC.

Katy Crow, Development Services Director, overviewed the changes made to the Plat from the time that the Preliminary Plat was reviewed at the June 12, 2018 Planning Commission meeting. At that time the submission was for two (2) lots and four (4) tracts. Road access was proposed for two (2) entrances off 199<sup>th</sup> Street and one via Essex Street, which would be extended from approximately 193<sup>rd</sup> Street south to 199<sup>th</sup> Street. The current request for Final Plat approval would be to subdivide and plat land to support a project seeking to construct and operate a large warehouse/distribution building. The existing parcel would be platted into one (1) lot and three (3) tracts. The south side of Lot 1 w FINAL PLAT – FP2018-04 (LPKC SOUTHWEST - IP XXIII)

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Beth Linn, City Administrator, stated that access via homestead land is not included on the plat so, even in the future, access will not be granted. There would be one access point to the facility for car traffic on 199th Street. Truck traffic would only be able to access the facility from Essex Road, which will include a roundabout. Ms. Linn stated the City Engineering is still reviewing the plans for the roundabout to make sure truck traffic can revolve around the roundabout hauling a 54-foot trailer.

Commissioner Daley stated he would take public comments at this time.

Cliff Cole, 19911 Peppertree Lane, Edgerton, KS, 66021, commented that he wanted to make sure water detention was being addressed properly and that 199th can't sustain truck traffic. Mr. Cole also stated that 199th has become dangerous due to the speed of drivers and any truck traffic could increase this.

Lonny Vlieger, 19910 Peppertree Lane, Edgerton, KS, 66021, commented about the exit onto 199th and asked if they had considered other areas for the entrance/exit.

Marshall Wolfe, 20090 Peppertree Lane, Edgerton, KS, 66021, commented there should be a traffic study conducted to make sure the exit will not negatively impact the traffic on 199th.

Ms. Linn addressed the questions and comments by speaking more in depth about the plans for the water detention ponds, road plans, truck routes, and traffic on 199th Street.

Motion by Berger, Second by Crooks to approve FP2018-04 Final Plat for LPKC Southwest with the following stipulations: 1.) The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body; 2.) Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements; 3.) A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements; 4.) The applicant shall meet all

requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax; 5.) The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code; 6.) All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat. Tract A would have frontage along 199<sup>th</sup> Street and the west side would have frontage along Four Corners Road. Tract C has frontage on, but no access to, Homestead Lane. Ms. Crow noted staff recommends approval, with stipulations. Ms. Crow also introduced Brett Powell from Northpoint Development, who stood for questions.

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## City Council Action Item

**Council Meeting Date:** October 18, 2018

**Agenda Item #:**

**Department:** Utilities

**Agenda Item: Consider Final Acceptance of Nelson Street Water Line Community Development Block Grant (CDBG) Project and Authorize Final Payment to Wiedenmann Inc.**

**Background/Description of Item:**

On September 16, 2016, the City of Edgerton was awarded a Community Development Block Grant (CDBG) from Johnson County for the construction of a replacement waterline on Nelson Street, running from just west of Martin Street to just west of E 3<sup>rd</sup> Street.

Design of the project was led by City Engineer David Hamby, per an agreement with BG Consultants, Inc. The City Council had previously identified the Nelson Street Waterline Replacement Project as a priority for completion during a May 19<sup>th</sup>, 2016 work session. In May of 2017, the City of Edgerton received three bids for a public bid process and all three bids came in well over the Engineer's Estimate, and thus were rejected by staff and City Council. The project was tabled until early 2018. The project was put back out to bid in December 2017, and the City held a public bid letting on January 9, 2018. At the January 25, 2018 meeting, Council approved the City Engineer's recommendation to award construction of the Nelson Street Water Line Project to Wiedenmann, Inc.

The Project reached substantial completion in the summer of 2018 and a walk-through was conducted by City Staff and Wiedenmann Inc. on June 7<sup>th</sup>, 2018. The project plan quantities have been paid in the amount of 100% with a 10% retainage, as per the City's agreement with Wiedenmann, Inc.

Construction paid to date	\$246,319.20
Retainage	\$ 27,368.80
Change Order #1	\$ 1,992.16
Change Order #2	\$ 3,288.54
Change Order #3	\$ 2,267.00
Total	\$281,235.70

Wiedenmann Inc has requested approval of three (3) change orders listed below:

**Change Order 1** – Mis-marked watermain, 400 block of W Nelson St. in the amount of \$1,992.16; this change order is due to the existing water line not having been marked with tracer wire and was believed by staff to be under the sidewalk like the waterline throughout most of the project. The line, however, snaked around a power pole to the opposite side which was hit by the boring contractor and repaired by contractor and city staff.

**Change Order 2** – Concrete sidewalk, curb and driveway replacement in the amount of \$5,710.57; this change order is for concrete in excess of the planned quantity due to areas of tie-ins to existing main lines, as well as the tie-in services. This change order also requests driveway replacements that were heaved by the boring contractor and needed to be replaced. The recommendation by staff will be to approve Change Order #2 with the exception of the replacement of the two (2) concrete driveways that were heaved by the boring contractor in the amount of \$2,422.03. Staff recommends approval of Change Order #2 with a balance of \$3,288.54.

**Change Order 3** – Nelson and 1<sup>st</sup> St. Tie-in difference in actual cost from planned cost in the amount of \$2,267.00. The additional material needed for the tie-ins as planned was not known until the mains were dug up and exposed.

Total Project Cost with Change Orders as recommended;	\$281,235.70
Budget	<u>\$280,546.00</u>
Expenditures Over Budget	\$ (689.70)

The amount over the budget will be covered by additional funds from the Water System Development Fund.

**Related Ordinance(s) or Statue(s):** n/a

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<b><u>Funding Source:</u></b>	CDBG Grant	\$170,000.00
	Water System Development Funds	\$111,235.70

**Budget Allocated:** \$280,546.00

x Karen E. Kindle

**Finance Director Approval:** Karen Kindle, Finance Director

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**Recommendation: Approve Final Acceptance of Nelson Street Water Line Community Development Block Grant (CDBG) Project, Authorize Final Payment to Wiedenmann, Inc. in the amount of \$34,916.50 and submit the final reimbursement request of \$4,220.67 from Johnson County CDBG.**

**Enclosed:** Letter of Recommendation from BG Consultants

Change Orders #1, #2 and #3  
Project Engineer email regarding driveways

**Prepared by:**

**Mike Mabrey** \* Utilities Superintendent



WIEDENMANN, INC.

WBE Certified Missouri and Kansas

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950 N. Scott / PO BOX 245 - Belton, MO 64012 - 816-322-1125 / Fax 816-322-1126 - [general@wiedenmanninc.com](mailto:general@wiedenmanninc.com)

September 12, 2018

Brett Waggoner

BG Consultants, Inc.  
1405 Wakarusa Drive  
Lawrence, Kansas 66049

Re: Nelson Street Waterline Improvements  
BG Project No. 17-1100L  
WI 557  
Watermain Mis Marked

Dear Brett,

On Tuesday April 10<sup>th</sup> a watermain was contacted during installtion of the new line. It was determined that the existing watermain was not where it was marked to be. The City provided the repair band. Our crews made the repair and repositioned the new line to properly clear the existing watermain.

In error we included City furnished gravel in the 5-24-18 change order request. This change order request excludes the owner furnished gravel.

Per the 4-10-18 email we tracked our cost for this change order. The change order cost is \$1,992.16. Attached is the detail supporting documentation. Please issue a change order for \$1,992.16.

If you need anything else, let me know.

Sincerely

David Grossman





WIEDENMANN, INC.

WBE Certified Missouri and Kansas

---

950 N. Scott / PO BOX 245 - Belton, MO 64012 - 816-322-1125 / Fax 816-322-1126 - [general@wiedenmanninc.com](mailto:general@wiedenmanninc.com)

May 24, 2018

Brett Waggoner

BG Consultants, Inc.  
1405 Wakarusa Drive  
Lawrence, Kansas 66049

Re: Nelson Street Waterline Improvements  
BG Project No. 17-1100L  
WI 557  
Watermain Mis Marked

Dear Brett,

On Tuesday April 10<sup>th</sup> a watermain was contacted during installtion of the new line. It was determined that the existing watermain was not where it was marked to be. The City provided the repair band. Our crews made the repair and repositioned the new line to properly clear the existing watermain.

Per the 4-10-18 email we tracked our cost for this change order. The change order cost is \$2,077.42. Attached is the detail supporting documentation. Please issue a change order for \$2,077.42.

If you need anything else, let me know.

Sincerely

David Grossman

COPY

COPY

Email : [general@wiedenmanninc.com](mailto:general@wiedenmanninc.com)

Print Date: 9/12/2018

PO#

**Owner :** City of Edgerton Kansas

<b>Location</b>	Watermain Mis Marked
-----------------	----------------------

Job #	557
-------	-----

[illegible]

1962.72

0.00

Bond

# Invoice

1,962.72

\$29.44

**\$1,992.16**



Wiedenmann Inc.			Date:	4/10/2018	Invoice #	One	Page 2
950 N. Scott / Box 245 Belton, Mo. 64012 / Office - 816-322-1125 Fax - 816-322-1126							
Email : general@wiedenmanninc.com							
Invoice for Services Contract Work							
Owner :	City of Edgerton Kansas						
Location	Watermain Repair						
Job #	557						
	Equipment & Tools	# of Mobilizations	Total Hrs	Hourly Rates	Mobilization	Equip./Tools	
12	Excavator - Cat 330			\$231.47		\$0.00	
	Mobilization - Cat 330				\$720.43	\$0.00	
	Demobilization - Cat 330				\$720.43	\$0.00	
13	Excavator - Cat 325			\$181.34		\$0.00	
	Mobilization - 325				\$720.43	\$0.00	
	Demobilization - Cat 325				\$720.43	\$0.00	
14	Dump Truck - Price includes Driver			\$125.87		\$0.00	
15	Trackloader - Cat 963			\$180.11		\$0.00	
	Mobilization - Cat 963				\$720.43	\$0.00	
	Demobilization - Cat 963				\$720.43	\$0.00	
16	Mini - Exc. - Cat 304			\$67.42		\$0.00	
	Mobilization - Cat 304				\$144.09	\$0.00	
	Demobilization - Cat 304				\$144.09	\$0.00	
17	Case 450 Skidloader			\$43.85		\$0.00	
18	Rubber Tire Backhoe - 580 Case			\$70.34		\$0.00	
19	Rubber Tire Loader - Cat 930			\$75.13		\$0.00	
	Mobilization - Cat 930				\$720.43	\$0.00	
	Demobilization - Cat 930				\$720.43	\$0.00	
20	Other - Exc. -Komatsu PC78		3.00	\$63.81		\$191.43	
	Mobilization - PC78				\$144.09	\$0.00	
	Demobilization - PC 78				\$144.09	\$0.00	
21	Pump / Gen. Set			\$35.40		\$0.00	
22	Pickup Truck		3.00	\$23.82		\$71.46	
23	Pavement Breaker			\$77.55		\$0.00	
24	Truck - Ford 2 ton			\$35.09		\$0.00	
25	Gooseneck Trailer			\$11.32		\$0.00	
26	Air Compressor & Jackhammer			\$18.83		\$0.00	
27	Trench Shoring			\$32.58		\$0.00	
28	Other-			\$0.00		\$0.00	
28a	Other-			\$0.00		\$0.00	
28b	Other-			\$0.00		\$0.00	
28c	Other-			\$0.00		\$0.00	
28d				\$0.00		\$0.00	
28e				\$0.00		\$0.00	
28f				\$0.00		\$0.00	
				\$0.00		\$0.00	
			Total for Equipment & Tools			Total	\$262.89



**\$330.63**





WIEDENMANN, INC.

WBE Certified Missouri and Kansas

---

950 N. Scott / PO BOX 245 - Belton, MO 64012 - 816-322-1125 / Fax 816-322-1126 - [general@wiedenmanninc.com](mailto:general@wiedenmanninc.com)

September 14, 2018

Brett Waggoner

BG Consultants, Inc.  
1405 Wakarusa Drive  
Lawrence, Kansas 66049

Re: Nelson Street Waterline Improvements  
BG Project No. 17-1100L  
WI #557

Dear Brett,

On the Nelson Street Waterline Improvement Project, the bid form provided a concrete sidewalk, pay items #26 and #A1.11. The plan quantity for sidewalk remove and replace was base contract pay item 26 – 75sy, alternate contract pay item A1.11 – 25sy. Installed sidewalk quantities 90.36sy for pay item 26, and 27.17sy for pay item A1.11.

In constructing the Nelson Street Waterline Improvements project the following work was added; driveway remove and replace 159.03sf, curb remove and replace 8lf, pavement repair with concrete base and asphalt surfacing 2.87sf, and ADA ramps 6.61sy. The attached spreadsheets document and summarize the quantities measured with the City on June 7, 2018. We respectfully request that a change order for \$5,710.57 be issued for this work.

Sincerely,



David Grossman  
Wiedenmann, Inc.

THURSDAY 6/7/18  
CONCRETE MEASUREMENTS. ON NELSON

COPY

- STA. # 99+60 TO STA. # 99+72 4'X12' SIDEWALK  
STA. # 99+92 TO STA. # 100+12 4'X20' SIDEWALK  
WEST 5<sup>TH</sup> ST. 4'X17.5' SIDEWALK AND 5.5'X7.5' & 7.5'X9' RAMPS.  
317 W. NELSON 4'X4' SIDEWALK.  
309 W. NELSON 4'X4' & 4'X20' SIDEWALK.  
305 W. NELSON 4'X4' & 4'X4' SIDEWALK.  
213 W. NELSON 4'X12' SIDEWALK.  
201 W. NELSON 4'X8' & 4'X4' SIDEWALK.  
119 W. NELSON 6"X6'X13' DRIVEWAY & 4'X4' SIDEWALK.  
115 W. NELSON 6"X6'X13.5' DRIVEWAY & 4'X4' SIDEWALK.  
400 W. 1<sup>ST</sup> ST 4'X4' SIDEWALK.  
101 E. NELSON. 4'X19.5' SIDEWALK, 8' CURB AND 7'X8.5' RAMP.

ALTERNATE #1

- 115 E. NELSON 4'X5' SIDEWALK  
400 E. 2<sup>ND</sup> ST. 4'X4' & 4.5'X9' SIDEWALK AND 5.5'X6.5' RAMP.  
203 E. NELSON 4'X4' & 4'X8' SIDEWALK  
205 E. NELSON 4'X4' SIDEWALK  
209 E. NELSON 4'X26' SIDEWALK

2" ASPHALT PATHES WITH 6"  
CONCRETE BASE

1<sup>ST</sup> ST. 2.2' X 2.2'  
E. 2<sup>ND</sup> ST. 3' X 7'

COPY



## Concrete Change Order Summary

[illegible]



WIEDENMANN, INC.

WBE Certified Missouri and Kansas

950 N. Scott / PO BOX 245 - Belton, MO 64012 - 816-322-1125 / Fax 816-322-1126 - [general@wiedenmanninc.com](mailto:general@wiedenmanninc.com)

September 19, 2018

Brett Waggoner

BG Consultants, Inc.  
1405 Wakarusa Drive  
Lawrence, Kansas 66049

Re: Nelson Street Waterline Improvements  
BG Project No. 17-1100L  
WI 557  
Station 113+95.70 Change

Dear Brett,

On May 23, 2018 we worked up to station 113+95.70, per contract we were to install an 8" x 8" MJ cross and one 8" gate valve. As noted on sheet five of the drawings, "Install 8" x 8" MJ cross with 8" gate valve and 4 LF of 8" PVC with 8" MJ solid sleeve (N & S) to connect to Existing 8" Waterline (N & S)."

Once station 113+95.70 was excavated, it was determined that the 8" x 8" MJ cross was not required; the attached as built drawing depicts what was constructed. To install the 8" gate valve and connect to the (N & S) 8" waterline, the crew used one 8" x 8" tee, one 22.5 degree, one 45 degree, six lineal feet of pipe, one 1.5 cy concrete straddle block with an encased mega lug, and two anchor spools.

As originally designed, the connection cost was: one 8" x 8" cross at \$447.00, one eight-inch valve at \$1,241.00, two 8" solid sleeves at \$240.00 each, 4' of pipe at \$595.00 per foot; for a total cost of \$ 4,320.00. As constructed in the field, the valve installation included one eight-inch valve at \$1,241.00, one 8" x 8" MJ tee at \$460.00, one 22.5-degree bend at \$409.00, one 45-degree bend at \$339.00, one 1.5 cy concrete straddle block with an imbedded mega lug at \$546.00, one short 8-inch anchor spool at \$120.00, one long 8-inch anchor spool at \$130.00; for a total cost of \$6,815.00.

Please issue a change order for the difference between plan and actual; actual \$6,815.00 less plan \$4,320.00 resulting in a contract change order value of \$2,267.00; the straddle block, short anchor spool and long anchor spool are not contract pay items their value totals \$796.00 which is included in change order amount. See attached worksheet.

Sincerely,

David Grossman  
Wiedenmann, Inc.

557 calculation  
Sta. 113+95.70

Plan:	#	Unit Price	Extension	Actual:	#	Unit Price	Extension
8"x8" Cross	1	\$447.00	\$447.00	8"x8" Tee	1	\$460.00	\$460.00
	1	\$1,241.00	\$1,241.00	8" Valve	1	\$1,241.00	\$1,241.00
	4	\$595.00	\$2,380.00	8" Pipe	6	\$595.00	\$3,570.00
	2	\$240.00	\$480.00	22.5 Degree	1	\$409.00	\$409.00
				45 Degree	1	\$339.00	\$339.00
				Staddle Block	1	\$546.00	\$546.00
				Long Anchor Spool	1	\$130.00	\$130.00
				Short Anchor Spool	1	\$120.00	\$120.00
						\$796.00	
Plan Total: \$4,548.00							
						Actual Total:	\$6,815.00
						Plan Total:	\$4,548.00
						CO Total:	\$2,267.00
					Non Pay item	Change Order	\$796.00
						Value	

WED. 5/23/18  
TIE IN AT 1<sup>ST</sup> ST.  
& NELSON ST.

1<sup>ST</sup> ST



EXISTING 6" GATE VALVE

8" TAP SADDLE & CORR. FOR SERVICE TO 101 E. NELSON ST. 14' SOUTH OF SOUTH CURB ON NELSON AND 14' EAST OF EAST CURB ON 1<sup>ST</sup> ST.

14.5' OF 3/4" COPPER CORR TO COUPLING AT METER.

101 E. NELSON

EXISTING 8" O.F. 90° BEND.

STRAIGHT 8" O.F. PIPE

8" LONG PIECE 8" PIPE

8" M.T. 45° BEND

8" LONG M.T. ANCHORING SPOL

8" LONG PIECE 8" PIPE

8" M.T. 22 1/2° BEND

8" M.T. GATE VALVE

8" M.T. GATE VALVE

8" M.T. GATE VALVE

8" X 8" M.T. TEE

SHORT 8" ANCHORING SPOL

NEW 8" MAIN

NELSON ST.

EXISTING MAIN

14'

14'



## Scott Peterson

---

**From:** Mike Mabrey  
**Sent:** Friday, October 19, 2018 1:22 PM  
**To:** Scott Peterson  
**Subject:** Fwd: 557 - Edgerton Ks, Nelson Street

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** David Hamby <david.hamby@bgcons.com>  
**Date:** 10/10/18 2:48 PM (GMT-06:00)  
**To:** Mike Mabrey <mmabrey@edgertonks.org>, Brett Waggoner <brett.waggoner@bgcons.com>  
**Subject:** RE: 557 - Edgerton Ks, Nelson Street

Mike,  
Here is your recommendation for project acceptance:

To the best of our knowledge Wiedenmann, Inc. has completed the work in general conformance of the plans. This project can be accepted by the City of Edgerton at your discretion.

### David Hamby, P.E., CFM

Vice President



1405 Wakarusa Drive | Lawrence, KS 66049  
T: 785.749.4474 x 2106 | F: 785.749.7340  
Web: [www.bgcons.com](http://www.bgcons.com) | Map | Email

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---

**From:** Mike Mabrey [mailto:mmabrey@edgertonks.org]  
**Sent:** Wednesday, October 10, 2018 8:31 AM  
**To:** Brett Waggoner <brett.waggoner@bgcons.com>  
**Cc:** David Hamby <david.hamby@bgcons.com>  
**Subject:** RE: 557 - Edgerton Ks, Nelson Street

Brett, I am trying type up council action item and need to get it to Beth today for her review. I have a couple of questions.

- 1) Have you heard anything from Wiedenmann of the driveways? I am going to write the CAI with their change order although with language removing the \$2422.03 for concrete driveways with the email you sent stating the section

## City Council Action Item

---

**Council Meeting Date:** October 25, 2018

**Department:** Community Development

**Agenda Item: Consider Ordinance No. 1091 Adopting A Recommendation By The City Planning Commission To Approve Rezoning Of Approximately 30 Acres Of Land [Located Directly North of 31800 W. 196<sup>th</sup> Street and East of 32285 W. 191<sup>st</sup> Street] In Edgerton, Kansas From Johnson County RUR, Rural Zoning To City Of Edgerton L-P Logistics Park Zoning District**

**Background/Description of Item:** The City of Edgerton received an application ZA-2018-07 for rezoning from Harold J. Curry, Trustee of the Curry Survivor's Trust requesting to rezone approximately 30 acres located directly north of 31800 W. 196<sup>th</sup> Street and east of 32285 W. 191<sup>st</sup> Street from Johnson County RUR to City of Edgerton Logistics Park (L-P) zoning. The property requested to be rezoned was annexed into the City of Edgerton on August 9, 2018. Mr. Curry has requested to rezone the parcel to Logistics Park District (L-P) to accommodate future intermodal-related, logistics park development as part of Logistics Park Kansas City.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, Zoning and Subdivision Regulations, and the laws in Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. Attached is the staff report including the review of this rezoning based on the Golden Criteria. The Planning Commission held a Public Hearing on October 9, 2018 regarding this rezoning. The Planning Commission recommended approval of the application with the following stipulations:

1. All infrastructure requirements of the City shall be met.
2. All platting requirements of the City shall be met.
3. All Site Plan application requirements of the City shall be met.
4. Prior to issuance of building permits, the property shall have an approved Site Plan reviewed and approved by the City.

**Related Ordinance(s) or Statue(s):** K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code

---

**Funding Source:** N/A

**Budget Allocated:** N/A

**Finance Director Approval:** N/A

---

**Recommendation: Approve Ordinance No. 1091 Adopting A Recommendation By The City Planning Commission To Approve Rezoning Of Approximately 30 Acres Of Land [Generally Located Directly North of 31800 W. 196<sup>th</sup> Street and East of 32285 W. 191<sup>st</sup> Street] In Edgerton, Kansas From Johnson County RUR, Rural Zoning To City Of Edgerton L-P Logistics Park Zoning District**

**Enclosed:**

- Ordinance No. 1091
- Staff Report from October 9, 2018 Planning Commission
- Application ZA-2018-07
- Draft minutes of October 9, 2018 Planning Commission Meeting

**Prepared by:** Katy Crow, Development Services Director

## **ORDINANCE NO. 1091**

### **AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE THE REZONING OF APPROXIMATELY 30 ACRES OF LAND [GENERALLY LOCATED DIRECTLY NORTH OF 31800 W. 196<sup>TH</sup> ST AND EAST OF 32285 W. 191<sup>ST</sup> STREET] IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" RURAL DISTRICT TO CITY OF EDGERTON "L-P" LOGISTICS PARK ZONING DISTRICT**

**WHEREAS**, the Planning Commission of the City of Edgerton, Kansas received a request from the owner(s) of approximately 30 acres of land, generally located directly north of 31800 W. 196<sup>th</sup> Street and east of 32285 W. 191<sup>st</sup> Street in Edgerton, Kansas to rezone that property from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park District; and

**WHEREAS**, following a public hearing in front of the Planning Commission on October 9, 2018 the Planning Commission has recommended that the rezoning request for that property – from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park District -- be approved subject to certain conditions; and

**WHEREAS**, all required newspaper and mailing notifications were performed.

### **NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:**

**Section 1.** That the following legally described property (generally located directly north of 31800 W. 196<sup>th</sup> Street and east of 32285 W. 191<sup>st</sup> Street) is hereby rezoned from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park Zoning District, and that City Staff is hereby directed to reflect said rezoning in the City's Official Zoning map and other City records:

A tract of land in the Northeast Quarter of Section 3, Township 15 South, Range 22 East, Johnson County, Kansas, and described as follows:

Beginning at the Northwest corner of said Northeast Quarter;  
thence S 01°31'42" E, along the West line, a distance of 2661.98 feet to the Southwest corner of said Northeast Quarter;

thence N 88°20'30" E along the South line of said Northeast Quarter, a distance of 768.18 feet to a point on the West line of Lot 2, LOGISTICS PARK KANSAS CITY PHASE IV, SECOND PLAT, an addition to the City of Edgerton, Johnson County, Kansas, and recorded in Book 201705 at Page 004226;

thence N 01°43'42" W, along the said West line, a distance of 1444.90 feet to the Northwest corner of Tract B, of said LOGISTICS PARK KANSAS CITY PHASE IV, SECOND PLAT;  
thence departing said West line, N 01°43'42" W a distance of 224.64 feet;

thence N 88°21'30" E a distance of 6.05 feet to a point on a line 768.40 feet east of and parallel with the West line of said Northeast Quarter;

thence N 01°31'42" W a distance of 70.00 feet to a point on a line 925.00 feet south of



and parallel with the North line of said Northeast Quarter;

thence S 88°09'02" W and parallel with the North line of said Northeast Quarter, a distance of 388.40 feet;

thence N 72°27'05" W, a distance of 370.98 feet, more or less, to a point on a line 30.00 foot east of and parallel with said West line, said point being 802.00 feet south of said North line;

thence N 01°31'42" W and parallel with said West line, 802.00 feet to a point on said North line;

thence S 88°09'02" W, along said North line, a distance of 30.00 feet to the Point of Beginning.

Said tract contains 1,379,724 square feet, or 31.674 acres, more or less.

**Section 2.** The above rezoning is expressly conditioned on the following:

- a) All infrastructure requirements of the City for a property located in the "L-P" Logistics Park District shall be met.
- b) All platting requirements of the City for a property located in the "L-P" Logistics Park District shall be met.
- c) All Site Plan application requirements of the City for a property located in the "L-P" Logistics Park District shall be met.
- d) Prior to issuance of building permits, the property shall have a Site Plan which has been reviewed and approved by the City.

**Section 3.** That the Governing Body, in making its decision on the rezoning, considered City Staff's comments and recommendations. The Governing Body also based its decision on the following criteria:

- a) The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
- b) Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties.
- c) The extent to which the zoning amendment may detrimentally affect nearby property has been addressed.
- d) The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial.
- e) Consistency with the Comprehensive Plan, Utilities and Facilities Plans, Capital Improvement Plan, Area Plans, ordinances, policies, and applicable City Code of the City of Edgerton.

**Section 4.** This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 25th DAY OF OCTOBER 2018.

CITY OF EDGERTON, KANSAS

By: \_\_\_\_\_  
Donald Roberts, Mayor

ATTEST:

\_\_\_\_\_  
Rachel James, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Lee Hendricks, City Attorney



**EDGERTON**  
global routes. local roots.

404 East Nelson  
Edgerton, KS 66021  
P: 913.893.6231  
EDGERTONKS.ORG

## STAFF REPORT

October 9, 2018

To: Edgerton Planning Commission  
Fr: Katy Crow, Development Services Director  
Re: Application **ZA-2018-07** Rezoning for two (2) parcels of land generally located directly north of 31800 W. 196<sup>th</sup> Street and east of 32285 W. 191<sup>st</sup> Street.

### APPLICATION INFORMATION

**Applicant:** Harold J. Curry, Trustee of the Curry Survivor's Trust dated June 13, 1996 and the Curry Family Trust dated June 13, 1996  
6911 W. 101<sup>st</sup> Street  
Overland Park, Kansas 66212

**Property Owner:** Harold J. Curry, Trustee of the Curry Survivor's Trust dated June 13, 1996 and the Curry Family Trust dated June 13, 1996  
6911 W. 101<sup>st</sup> Street  
Overland Park, Kansas 66212

**Requested Action:** Rezoning from Johnson County RUR Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.

**Legal Description:** A tract of land in the Northeast Quarter of Section 3, Township 15 South, Range 22 East - see attached exhibits for complete description.

**Site Address/Location:** Generally located north of 31800 W. 196<sup>th</sup> Street and east of 32285 W. 191<sup>st</sup> Street; adjacent to parcels which are directly south of Kill Creek Road and 191<sup>st</sup> Street.

**Existing Zoning and Land Uses:** Johnson County RUR

**Existing Improvements:** None.

**Site Size:** Approximately 30 acres.

### REASON FOR REZONING REQUEST:

This property was annexed into the City of Edgerton on August 9, 2018. This rezoning is being requested for future intermodal-related, logistics park development. The Burlington Northern

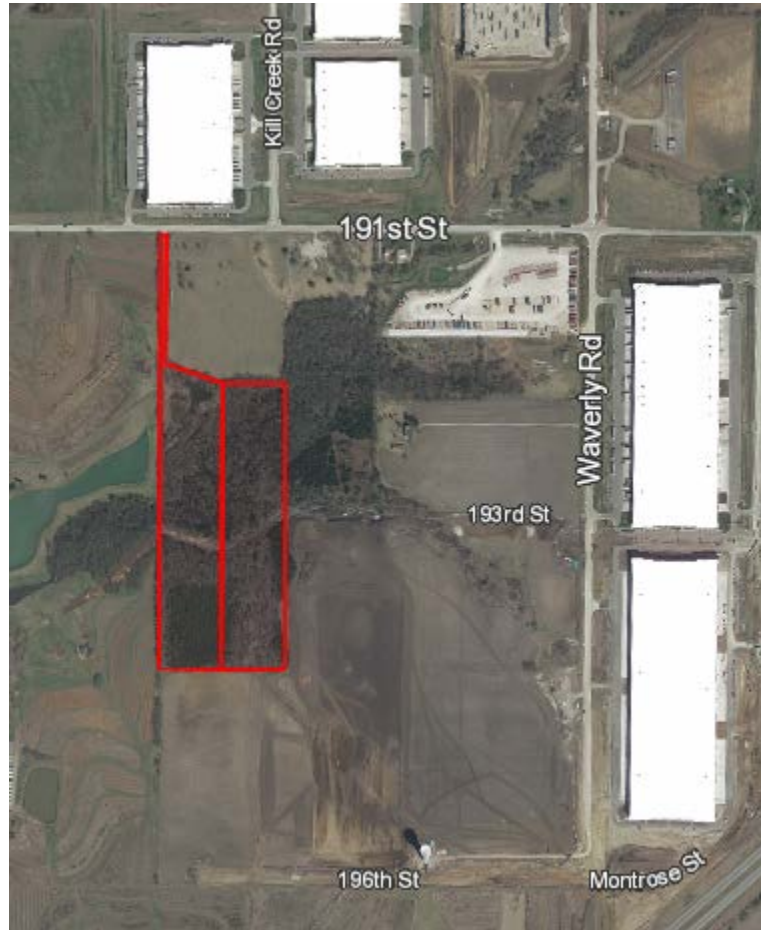
Santa Fe Railway (BNSF) intermodal facility is located approximately one-half mile north and west of the subject site. Logistics Park Kansas City (LPKC), is a 1,700-acre master-planned distribution and warehouse development anchored by the BNSF Railway intermodal facility, which opened in late 2013. Companies located at LPKC benefit from significant transportation savings and direct access to heavy-haul corridors.

The subject property is surrounded by existing LPKC operations to the north, a vacant L-P zoned parcel to the east, LPKC operations to the south, and a commercial nursery operation to the west. The subject property is outlined in red and shown in Figures 1 and 2 below.

**Figure 1**



**Figure 2**



**PROJECT DESCRIPTION**

The applicant has submitted a rezoning request in support of encouraging logistics park related development on the property.

**INFRASTRUCTURE AND SERVICES**

1. Access to the property would be from 191<sup>st</sup> Street.
2. Utilities and service providers.
  - a. Water - Johnson County Water District #7
  - b. Sanitary Sewer - City of Edgerton
  - c. Electrical Service - Kansas City Power & Light
  - d. Gas Service – Kansas Gas Service
  - e. Police service is provided by the city of Edgerton through the Johnson County Sheriff's Office
  - f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

## PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on August 9, 2018. Prior to that, the property was in unincorporated Johnson County and as of this application it remains zoned Johnson County RUR.

## STAFF ANALYSIS

The applicant has requested rezoning to L-P, Logistics Park. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. Any activities conducted outside should be screened and buffered, and external effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; and other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** - The applicant has requested L-P Zoning District designation to support future development potential of the parcel. Given the property's proximity to LPKC, the BNSF Railway intermodal facility and I-35, L-P Zoning District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change** – When the property was annexed into Edgerton, it retained its existing RUR zoning designation. That designation is considered a holding designation until a rezoning of the parcel is sought. The Future Land Use Map contained in the Comprehensive Plan has the property designated as appropriate and acceptable for Business Park/Industrial uses. The proposed rezoning is compatible with the spirit and intent of future development outlined by the Comprehensive Plan and depicted by the Future Land Use Map. Due to the property's proximity to LPKC, the BNSF Railway intermodal facility and interstate highway, the magnitude of the change is not considered extreme or rare when property is being developed for its designated and planned end use. In this case, the applicant is rezoning to increase the industrial development potential of this property.
3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded on three sides by parcels containing an existing L-P zoning designation. If rezoned L-P as requested, a separate Site Plan review and approval will be required before property could be developed. Part of a Site Plan review will include attention to buffering and setbacks, stormwater management and transition of uses between adjoining uses and any proposed industrial use. This Site Plan review will help mitigate impacts that might occur to adjacent properties.
4. **Effective use of Land** –L-P District uses at this location would be an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the interstate.

5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** – Intermodal development activities such as cargo container storage facilities, warehousing, distribution, and limited manufacturing, all activities allowed within the proposed zoning, help reduce truck traffic in the surrounding area and allowing for more efficient use of the supply chain as an inland port for goods in transit.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – The area continues to undergo intermodal development. With the extensive, recently completed road improvements and the interchange at I-35 and Homestead Lane, the character of the area has changed from rural to industrial. These parcels are located almost directly in the center of Logistics Park Kansas City. A site plan has been submitted for the parcels to the north and east for a cargo container storage facility and trucking/maintenance operation. The parcel to the west contains a commercial nursery operation and the parcel to the south is an existing LPKC warehouse facility.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of the surrounding properties which are all related to intermodal activities. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The site plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing RUR zoning designation of the applicant property is not suitable for the future development potential of this property. An industrial use on a parcel zoned RUR would not be compatible or appropriate. A rezoning to the L-P district is the most appropriate designation for the type development the applicant is seeking to promote on these parcels.
9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography dating back to 1993, the property was agricultural use in unincorporated Johnson County prior to its annexation into the City of Edgerton in 2018.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the existing and planned future uses of the surrounding properties. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The site plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.

12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services** - The subject property is adjacent to and would have access to 191<sup>st</sup> Street. This heavyweight corridor roadway would have the capacity to support future development of the property. Utilities will be provided by the developer or the City in conjunction with development of the property.
13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property** – 191<sup>st</sup> Street is designated as a Heavy Haul Corridor and it is improved to a standard that can accommodate industrial development traffic in the area. There are no known functional or safety issues occurring with the surrounding transportation network.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm** - The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process when a development is brought forward.
15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed on parcels with an L-P District zoning designation, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities and tax revenue to respective jurisdictions.
16. **The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of this zoning application. However, The City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - The Comprehensive Plan for the City of Edgerton has the area which the property is in designated as appropriate for zoning and uses associated with business park and industrial zoning. City staff believes that the requested rezoning is compatible with the spirit and intent of future development outlined in the Comprehensive Plan and Future Land Use Map.
18. **The recommendation of professional staff** - See Recommendation below.

**Recommendation:**

City staff recommends **approval** of the proposed rezoning of the subject property from Johnson County RUR to City of Edgerton Logistics Park District (L-P) with the following stipulations:



1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:

- Application for Rezoning ZA2018-07
- Johnson County AIMS Map of Property
- City of Edgerton Future Land Use Map

Directly North of 31800 W. 196th St. and East of  
 32285 W. 191st Street

LOCATION OR ADDRESS OF SUBJECT PROPERTY:

 PURPOSE FOR REZONING: Future Development Potential

 REQUESTED REZONING CHANGE: FROM RUR TO L-P  
 (Current Zoning) (Proposed Zoning)

 LEGAL DESCRIPTION: See attached.

 CURRENT LAND USE: Vacant/unused.

 PROPERTY OWNER'S NAME(S): Harold J. Curry, Trustee of the Curry Survivor's Trust Dated June 13, 1996 and the Curry Family Trust Dated June 13, 1996 PHONE:

COMPANY: FAX:

 MAILING ADDRESS: 6911 West 101<sup>st</sup> Street Overland Park KS 66212  
 Street City State Zip

 APPLICANT/AGENTS NAME(S): Same as above PHONE:

COMPANY: FAX:

MAILING ADDRESS: Street City State Zip

 ENGINEER/ARCHITECT'S NAME(S): Patrick Cassity PHONE: 816-800-0950

 COMPANY: Renaissance Infrastructure Consulting FAX: N/A

 MAILING ADDRESS: 5015 NW Canal St. Suite 100 Riverside MO 64150  
 Street City State Zip

*L Harold Curry want my agent Robert Montgomery to also be notified on all matters H2C*

SIGNATURE OF OWNER OR AGENT: Harold J. Curry

If not signed by owner, authorization of agent must accompany this application.

**FOR OFFICE USE ONLY**

 Case No.: RZ- ZA2018-07 Amount of Fee Paid: \$ 250.00 Date Fee Paid: 7/13/18  
 Received By: A Clower Date of Hearing: 9/11/18

R# 02141319

**REZONING INSTRUCTIONS**

\*See VOIDED APP ZA2018-05

**CERTIFIED LETTERS:** The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

vs. 9-9-11



of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

**AFFIDAVIT OF COMPLIANCE:** An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

**PLANNING COMMISSION REVIEW AND DECISION:** The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

**PROTEST PERIOD:** After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter (¾) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

**GOVERNING BODY ACTION:** After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

## CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

vs. 9-9-11

**PROPERTY OWNER NOTIFICATION AFFIDAVIT**

Case No.: RZ- ZA 2018-07

I, EVAN Fitts, of lawful age being first duly sworn upon oath, state:

That I am the Agent (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 14<sup>th</sup> day of September, 20 18.

  
\_\_\_\_\_  
Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 3<sup>rd</sup> day of October, 20 18.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: July 26 2020 (SEAL)  
Date

PHILECIA L. MARKOVICH  
Notary Public, Notary Seal  
State of Missouri  
Jackson County  
Commission # 16493224  
My Commission Expires 07-26-2020

## Notice List

Midwest Gateway Venture, LLC  
1100 Walnut St. Apt. 2000  
Kansas City, MO 64106

Flexsteel Industries, LLC  
385 Bell Street  
Dubuque, IA 52001

IPII 1914 Street, LLC  
2000 Avenue of the Starts Apt 12<sup>th</sup>  
Los Angeles, CA 90067

Edgerton Land Holding Company, LLC  
4825 NW 41<sup>st</sup> Street Suite 500  
Riverside, MO 64150

Gifford, Michael A.  
Gifford, Pamela L.  
13995 W. 157<sup>th</sup> Terrace  
Olathe, KS 66062

BNSF Railway Company  
PO Box 961089  
Fort Worth, TX 76131

Prairie Tree, LLC  
6701 W. 167<sup>th</sup> Street  
Stillwell, KS 66085

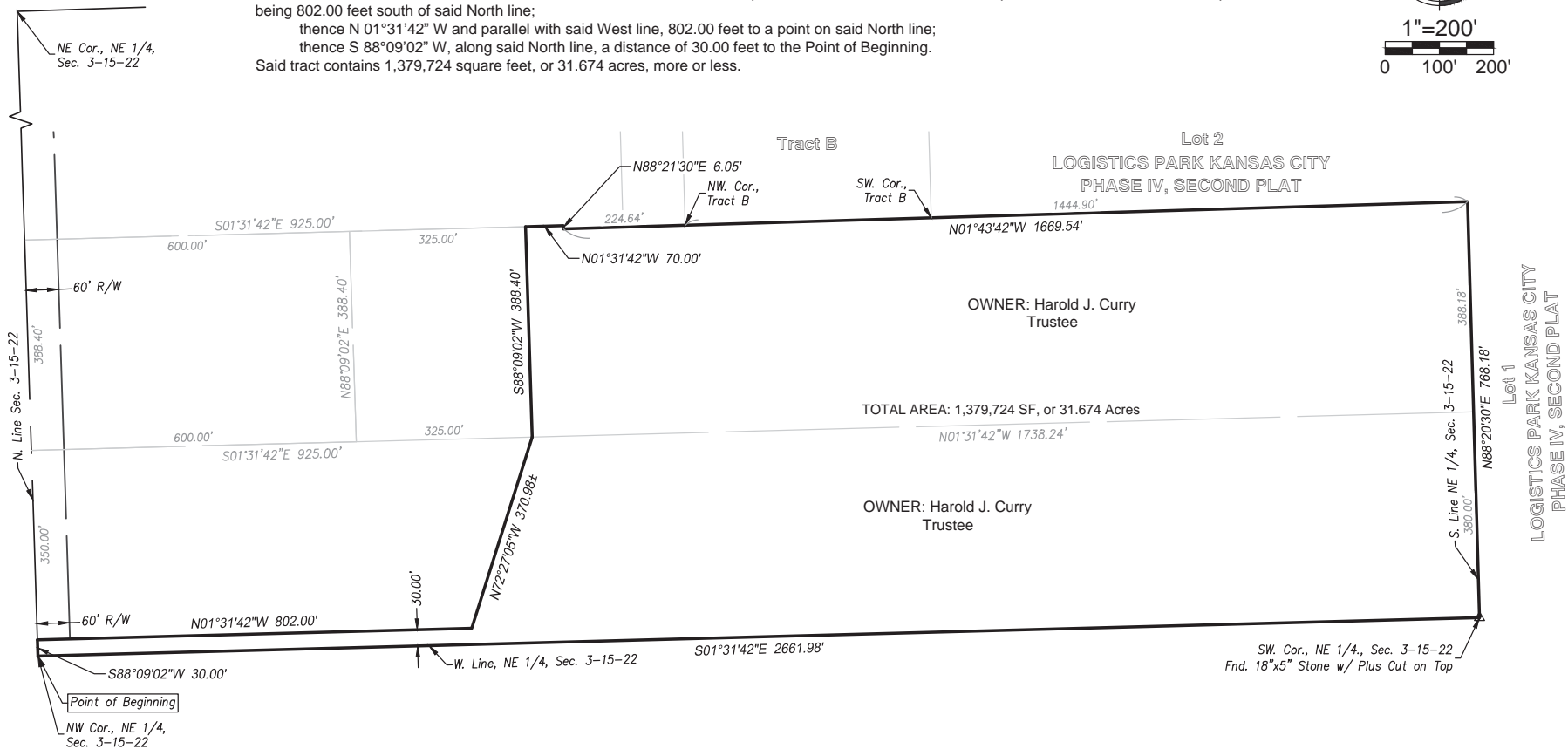
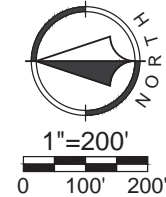


A tract of land in the Northeast Quarter of Section 3, Township 15 South, Range 22 East, Johnson County, Kansas, and described as follows:

thence S 01°31'42" E, along the West line, a distance of 2661.98 feet to the Southwest corner of said Northeast Quarter;  
thence N 88°20'30" E along the South line of said Northeast Quarter, a distance of 768.18 feet to a point on the West line of Lot 2, LOGISTICS  
PARK KANSAS CITY PHASE IV, SECOND PLAT, an addition to the City of Edgerton, Johnson County, Kansas, and recorded in Book 201705 at Page  
004226;

KANSAS CITY PHASE IV, SECOND PLAT;

thence departing said West line, N 01°43'42" W a distance of 224.64 feet;  
thence N 88°21'30" E a distance of 6.05 feet to a point on a line 768.40 feet east of and parallel with the West line of said Northeast Quarter;  
thence N 01°31'42" W a distance of 70.00 feet to a point on a line 925.00 feet south of and parallel with the North line of said Northeast Quarter;  
thence S 88°09'02" W and parallel with the North line of said Northeast Quarter, a distance of 388.40 feet;  
thence N 72°27'05" W, a distance of 370.98 feet, more or less, to a point on a line 30.00 foot east of and parallel with said West line, said point being 802.00 feet south of said North line;  
thence N 01°31'42" W and parallel with said West line, 802.00 feet to a point on said North line;  
thence S 88°09'02" W, along said North line, a distance of 30.00 feet to the Point of Beginning.  
Said tract contains 1,379,724 square feet, or 31.674 acres, more or less.



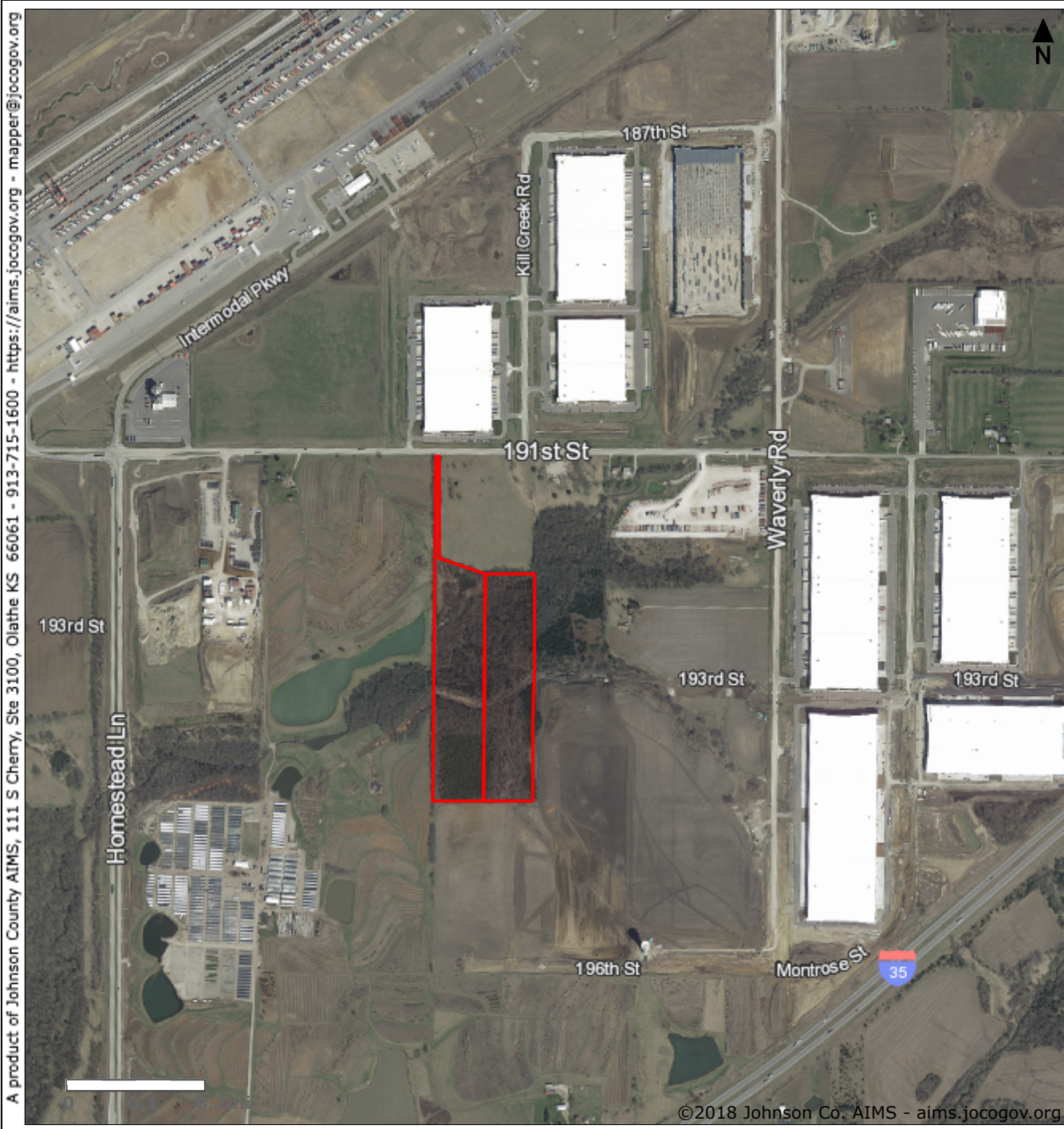
**NORTHPOINT DEVELOPMENT**  
CURRY PARCELS COMBINED, PART OF SEC.  
3, T15S, R22E, IN THE CITY OF EDGERTON,  
JOHNSON COUNTY, KANSAS

[illegible]

**Renaissance  
Infrastructure  
Consulting**

913.317.9500  
www.ri-consult.com

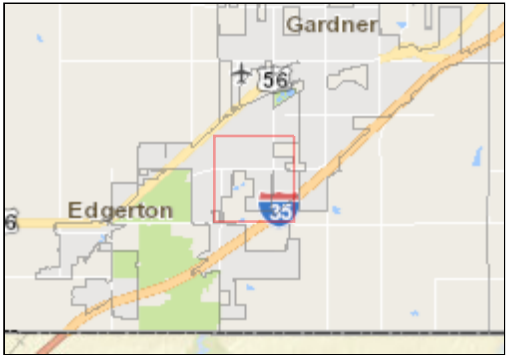
2 New Century Parkway  
New Century, Kansas 66031



Johnson Co AIMS Map

LEGEND

AIMS Imagery: Current Imagery (2016)



Disclaimer: No person shall sell, give, reproduce, or receive for the purpose of selling or offering for sale, any portion of the data provided herein. Johnson County makes every effort to produce and publish the most current and accurate information possible. Johnson County assumes no liability whatsoever associated with the use or misuse of such data, and disclaims any representation or warranty as to the accuracy and currency of the data.

**JOHNSON COUNTY**  
KANSAS  
AIMS GIS & Mapping





EDGERTON CITY HALL  
PLANNING COMMISSION MEETING  
REGULAR SESSION  
October 9, 2018

The Edgerton Planning Commission met in regular session with Chair John Daley calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were: Commissioners John Daley, Tim Berger, Jeremy Little, and Charlie Crooks. Absent was Commissioner Andrew Merriman. Also present were: Mayor Donald Roberts, City Administrator Beth Linn, Development Services Director Katy Crow, and City Clerk Rachel James.

The City Clerk announced a quorum was present.

Commissioner Daley introduced the two new Commissioners: Jeremy Little and Charlie Crooks. Both Commissioners introduced themselves to the audience.

**CONSENT AGENDA**

Motion by Berger, seconded by Little, to approve the items as presented in the Consent Agenda. Motion was approved, 4-0.

**MINUTES**

- A. The minutes for Regular Session of August 14, 2018 were considered and approved.

**NEW BUSINESS**

**PUBLIC HEARING – ZA2018-08 (REZONING FOR ONE (1) PARCEL OF LAND  
GENERALLY LOCATED AT 310 W. 8<sup>TH</sup> STREET, EDGERTON, KS)**

A public hearing in regard to rezoning application, ZA2018-08, pertaining to the rezoning of one (1) parcel (containing approximately 1.43 acres) from non-designated zoning assignment to Edgerton R-1 Single Family Residence, located generally at 310 W. 8<sup>th</sup> Street, Edgerton, KS. Applicant: Victor R. Smith.

Katy Crow, Development Services Director, overviewed the history and reason for the rezoning request. She indicated the property was annexed in September 2014. She noted the rezoning is requested due to the fact the property does not contain a zoning designation in the Johnson County AIMS system. The parcel currently contains a single-family residence and pole barn.

Ms. Crow stated the applicant's request is for the R-1 Zoning District and that this is the most compatible zoning choice for the current property use. She also noted staff reviewed the application in respect to the Unified Development Code, laws of Kansas, and the "Golden Criteria."

Commissioner Daley opened the public hearing.

Commissioner Daley asked if anyone would like to comment. There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve the rezoning of one (1) parcel (containing approximately 1.43 acres) from non-designated zoning assignment to Edgerton R-1 Single Family Residence. The motion was approved 4-0.

**PUBLIC HEARING – ZA2018-06 (REZONING FOR FOUR (4) PARCELS OF LAND GENERALLY LOCATED SOUTH OF THE INTERSECTION OF WAVERLY ROAD AND 191<sup>ST</sup> STREET)**

A public hearing in regard to rezoning application, ZA2018-06, pertaining to the rezoning of four (4) parcels (containing approximately 30 acres) from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located South of the intersection of Waverly Road and 191<sup>st</sup> Street. Applicant: Christopher Stara, Agent

Katy Crow, Development Services Director, overviewed the history and reason for the rezoning request. Ms. Crow stated the property was annexed in September 2015. This zoning is being requested for future intermodal-related development. The property is located near the center of the LPKC park and is currently surrounded by existing LPKC operations on all sides. The rezoning is sought in order to allow for a project which would create more cargo container storage as well as additional office space.

Ms. Crow stated the applicant's request is for the L-P Logistics Park Zoning District and that this is the most compatible zoning choice for the current property use. Ms. Crow noted that the rezoning is compatible with the surrounding designation as the majority of the surrounding area has changed from rural to industrial. She also noted staff reviewed the application in respect to the Unified Development Code, laws of Kansas, and the "Golden Criteria."

Commissioner Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Commissioner Daley asked to be shown the location of the property on the large display map. Beth Linn, City Administrator, pointed out the property.

Motion by Berger, Second by Little to approve with the following stipulations: 1.) All infrastructure of the City shall be met; 2.) All platting requirements of the City shall be met; 3.) All Site Plan application requirements of the City shall be met; 4.) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 4-0.

**PUBLIC HEARING – ZA2018-07 (REZONING FOR TWO (2) PARCELS OF LAND GENERALLY LOCATED DIRECTLY NORTH 31800 W. 196<sup>TH</sup> STREET AND EAST OF 32285 W. 191<sup>ST</sup> STREET)**

A public hearing in regard to rezoning application, ZA2018-07, pertaining to the rezoning of two (2) parcels (containing approximately 30 acres) from Johnson County RUR Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located directly north of 31800 W. 196<sup>th</sup> Street. Applicant: Harold J. Curry, Trustee of the Curry Survivor's Trust.

Katy Crow, Development Services Director, overviewed the history of the property, which was annexed into the City in August 2018. This zoning is being requested for future intermodal-related development. The property is currently surrounded by LPKC property on the North and South sides. The East is vacant L-P zoned land and a commercial nursery to the West. The applicant is seeking rezoning to encourage potential logistics park development on these parcels.

Commissioner Crooks asked what is directly north of the property. Ms. Crow responded by saying the Gifford's Property which is zoned L-P.

Commissioner Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve with the following stipulations: 1.) All infrastructure of the City shall be met; 2.) All platting requirements of the City shall be met; 3.) All Site Plan application requirements of the City shall be met; 4.) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 4-0.

#### **FINAL PLAT – FP2018-04 (LPKC SOUTHWEST - IP XXIII)**

An application for Final Plat, FP2018-04, requesting approval of a final plat for Logistics Park Kansas City Southwest – IP XXIII, located at the northeast corner of the intersection of 199<sup>th</sup> Street and Four Corners Road, consisting of one (1) lot, and three (3) tracts, containing approximately 116.14 acres was considered. Applicant: Chris Chancellor representing NPD Management, LLC.

Katy Crow, Development Services Director, overviewed the changes made to the Plat from the time that the Preliminary Plat was reviewed at the June 12, 2018 Planning Commission meeting. At that time the submission was for two (2) lots and four (4) tracts. Road access was proposed for two (2) entrances off 199<sup>th</sup> Street and one via Essex Street, which would be extended from approximately 193<sup>rd</sup> Street south to 199<sup>th</sup> Street. The current request for Final Plat approval would be to subdivide and plat land to support a project seeking to construct and operate a large warehouse/distribution building. The existing parcel would be platted into one (1) lot and three (3) tracts. The south side of Lot 1 w FINAL PLAT – FP2018-04 (LPKC SOUTHWEST - IP XXIII)

An application for Final Plat, FP2018-04, requesting approval of a final plat for Logistics Park Kansas City Southwest – IP XXIII, located at the northeast corner of the intersection of 199<sup>th</sup> Street and Four Corners Road, consisting of one (1) lot, and three (3) tracts, containing

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Beth Linn, City Administrator, stated that access via homestead land is not included on the plat so, even in the future, access will not be granted. There would be one access point to the facility for car traffic on 199th Street. Truck traffic would only be able to access the facility from Essex Road, which will include a roundabout. Ms. Linn stated the City Engineering is still reviewing the plans for the roundabout to make sure truck traffic can revolve around the roundabout hauling a 54-foot trailer.

Commissioner Daley stated he would take public comments at this time.

Cliff Cole, 19911 Peppertree Lane, Edgerton, KS, 66021, commented that he wanted to make sure water detention was being addressed properly and that 199th can't sustain truck traffic. Mr. Cole also stated that 199th has become dangerous due to the speed of drivers and any truck traffic could increase this.

Lonny Vlieger, 19910 Peppertree Lane, Edgerton, KS, 66021, commented about the exit onto 199th and asked if they had considered other areas for the entrance/exit.

Marshall Wolfe, 20090 Peppertree Lane, Edgerton, KS, 66021, commented there should be a traffic study conducted to make sure the exit will not negatively impact the traffic on 199th.

Ms. Linn addressed the questions and comments by speaking more in depth about the plans for the water detention ponds, road plans, truck routes, and traffic on 199th Street.

Motion by Berger, Second by Crooks to approve FP2018-04 Final Plat for LPKC Southwest with the following stipulations: 1.) The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body; 2.) Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements; 3.) A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements; 4.) The applicant shall meet all

requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax; 5.) The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code; 6.) All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat. Tract A would have frontage along 199<sup>th</sup> Street and the west side would have frontage along Four Corners Road. Tract C has frontage on, but no access to, Homestead Lane. Ms. Crow noted staff recommends approval, with stipulations. Ms. Crow also introduced Brett Powell from Northpoint Development, who stood for questions.

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Marshall Wolfe, 20090 Peppertree Lane, Edgerton, KS, 66021, commented there should be a traffic study conducted to make sure the exit will not negatively impact the traffic on 199<sup>th</sup>.

Ms. Linn addressed the questions and comments by speaking more in depth about the plans for the water detention ponds, road plans, truck routes, and traffic on 199<sup>th</sup> Street.

Motion by Berger, Second by Crooks to approve FP2018-04 Final Plat for LPKC Southwest with the following stipulations: 1.) The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body; 2.) Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements; 3.) A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements; 4.) The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax; 5.) The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code; 6.) All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.

## City Council Action Item

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**Council Meeting Date:** October 25, 2018

**Department:** Community Development

**Agenda Item: Consider Ordinance No. 1092 Adopting A Recommendation By The City Planning Commission To Approve Rezoning Of Approximately 30 Acres Of Land [Four Parcels Generally Located South of the Intersection of Waverly Road and 191<sup>st</sup> Street] In Edgerton, Kansas From Johnson County RUR, Rural Zoning To City Of Edgerton L-P Logistics Park Zoning District**

**Background/Description of Item:** The City of Edgerton received an application ZA-2018-06 for rezoning from Hastings Family Holdings LLC requesting to rezone approximately 30 acres located south of the intersection of Waverly Road and 191<sup>st</sup> Street from Johnson County RUR to City of Edgerton Logistics Park (L-P) zoning. The property requested to be rezoned was annexed into the City of Edgerton on September 24, 2015. Hastings Family Holdings LLC has requested to rezone the parcel to Logistics Park District (L-P) to accommodate an expansion of their current cargo container storage operation.

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, Zoning and Subdivision Regulations, and the laws in Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. Attached is the staff report including the review of this rezoning based on the Golden Criteria. The Planning Commission held a Public Hearing on October 9, 2018 regarding this rezoning. The Planning Commission recommended approval of the application with the following stipulations:

1. All infrastructure requirements of the City shall be met.
2. All platting requirements of the City shall be met.
3. All Site Plan application requirements of the City shall be met.
4. Prior to issuance of building permits, the property shall have an approved Site Plan reviewed and approved by the City.

**Related Ordinance(s) or Statue(s):** K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code

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**Funding Source:** N/A

**Budget Allocated:** N/A



**Finance Director Approval:** N/A

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**Recommendation: Approve Ordinance No. 1092 Adopting A Recommendation By The City Planning Commission To Approve Rezoning Of Approximately 30 Acres Of Land [Four Parcels Generally Located South of the Intersection of Waverly Road and 191<sup>st</sup> Street] In Edgerton, Kansas From Johnson County RUR, Rural Zoning To City Of Edgerton L-P Logistics Park Zoning District**

**Enclosed:**

- Ordinance No. 1092
- Staff Report from October 9, 2018 Planning Commission
- Application ZA-2018-06
- Draft minutes of October 9, 2018 Planning Commission Meeting

**Prepared by:** Katy Crow, Development Services Director

## **ORDINANCE NO. 1092**

### **AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE THE REZONING OF APPROXIMATELY 30 ACRES OF LAND [GENERALLY LOCATED SOUTH OF THE INTERSECTION OF WAVERLY ROAD AND 191<sup>ST</sup> STREET] IN EDGERTON, KANSAS FROM JOHNSON COUNTY "RUR" RURAL DISTRICT TO CITY OF EDGERTON "L-P" LOGISTICS PARK ZONING DISTRICT**

**WHEREAS**, the Planning Commission of the City of Edgerton, Kansas received a request from the owner(s) of approximately 30 acres of land, generally located south of the intersection of Waverly Road and 191<sup>st</sup> Street in Edgerton, Kansas to rezone that property from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park District; and

**WHEREAS**, following a public hearing in front of the Planning Commission on October 9, 2018 the Planning Commission has recommended that the rezoning request for that property – from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park District -- be approved subject to certain conditions; and

**WHEREAS**, all required newspaper and mailing notifications were performed.

### **NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:**

**Section 1.** That the following legally described property (generally located south of the intersection of Waverly Road and 191<sup>st</sup> Street) is hereby rezoned from Johnson County "RUR" Rural District to City of Edgerton "L-P" Logistics Park Zoning District, and that City Staff is hereby directed to reflect said rezoning in the City's Official Zoning map and other City records:

Parcel I – Legal Description BF221503-3010 (R173523) (abbreviated):

3-15-22 BG 660' S NE CR NE1/4 W 1319.2' S 330' E 1319.3' N 330' TO POB EX .303 AC IN RD 9.697 ACS M/L GA 189F

Parcel II – Legal Description BF221503-3009 (R173522) (abbreviated):

3-15-22 BG 990' S NE CR NE1/4 W 1319.3' S 358' E 1319.4' N 358' TO POB EX 1 AC & EX .331 AC IN RD 9.519 ACS M/L GA 189E

Parcel III – Legal Description BF221503-3012 (R173525) (abbreviated):

3-15-22 BG 990' S & 1022.30' WNE COR NE1/4 W 120' X S 358' 1AC M/L GA 189H

Parcel IV – Legal Description BF221503-3011 (R173524) (abbreviated):

3-15-22 BG 990' N SE CR NE1/4 W 1319.6' N 330' E 1319.4' S 330' TO POB EX .303 AC IN RD 9.697 ACS M/L GA 189G

**Section 2.** The above rezoning is expressly conditioned on the following:

- a) All infrastructure requirements of the City for a property located in the "L-P"

Logistics Park District shall be met.

- b) All platting requirements of the City for a property located in the "L-P" Logistics Park District shall be met.
- c) All Site Plan application requirements of the City for a property located in the "L-P" Logistics Park District shall be met.
- d) Prior to issuance of building permits, the property shall have a Site Plan which has been reviewed and approved by the City.

**Section 3.** That the Governing Body, in making its decision on the request and recommendation for rezoning, considered City Staff's comments and recommendations. The Governing Body also based its decision on the following criteria:

- a) The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
- b) Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties.
- c) The extent to which the zoning amendment may detrimentally affect nearby property has been addressed.
- d) The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial.
- e) Consistency with the Comprehensive Plan, Utilities and Facilities Plans, Capital Improvement Plan, Area Plans, ordinances, policies, and applicable City Code of the City of Edgerton.

**Section 4.** This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 25<sup>th</sup> DAY OF OCTOBER 2018.

CITY OF EDGERTON, KANSAS

By: \_\_\_\_\_  
Donald Roberts, Mayor

ATTEST:

\_\_\_\_\_  
Rachel James, City Clerk

APPROVED AS TO FORM:

---

Lee Hendricks, City Attorney



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Edgerton, KS 66021  
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## STAFF REPORT

October 9, 2018

To: Edgerton Planning Commission  
Fr: Katy Crow, Development Services Director  
Re: Application **ZA-2018-06** Rezoning for four (4) parcels of land generally located south of the intersection of Waverly Road and 191<sup>st</sup> Street.

### APPLICATION INFORMATION

**Applicant:** Christopher Stara, Agent  
TSL Company Holdings, Ltd.  
100001 South 152<sup>nd</sup> Street  
Omaha, NE 68138

**Property Owner:** Hastings Family Holdings LLC  
100001 South 152<sup>nd</sup> Street  
Omaha, NE 68138

**Requested Action:** Rezoning from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District.

**Legal Description:**

Parcel I – Legal Description R173523 (abbreviated):  
3-15-22 BG 660' S NE CR NE1/4 W 1319.2' S 330' E 1319.3' N 330' TO POB EX .303 AC IN RD 9.697 ACS M/L GA 189F;

Parcel II – Legal Description R173522 (abbreviated):  
3-15-22 BG 990' S NE CR NE1/4 W 1319.3' S 358' E 1319.4' N 358' TO POB EX 1 AC & EX .331 AC IN RD 9.519 ACS M/L GA 189E;

Parcel III – Legal Description R173525 (abbreviated):  
3-15-22 BG 990' S & 1022.30' WNE COR NE1/4 W 120' X S 358' 1AC M/L GA 189H;

Parcel IV – Legal Description R173524 (abbreviated):  
3-15-22 BG 990' N SE CR NE1/4 W 1319.6' N 330' E 1319.4' S 330' TO POB EX .303 AC IN RD 9.697 ACS M/L GA 189G;

see attached exhibits for complete description.

**Site Address/Location:** Generally located south and west of the intersection of Waverly Road and 191<sup>st</sup> Street.

**Existing Zoning and Land Uses:** City of Edgerton Agricultural (A-G)

**Existing Improvements:** None.

**Site Size:** Approximately 30 acres.

**REASON FOR REZONING REQUEST:**

This property was annexed into the City of Edgerton on September 24, 2015. This rezoning is being requested for future intermodal-related, logistics park development. The Burlington Northern Santa Fe Railway (BNSF) intermodal facility is located approximately one-half mile north and west of the subject site. Logistics Park Kansas City (LPKC), is a 1,700-acre master-planned distribution and warehouse development anchored by the BNSF Railway intermodal facility, which opened in late 2013. Companies located at LPKC benefit from significant transportation savings and direct access to heavy-haul corridors.

The subject property is surrounded by existing LPKC operations to the north, a vacant L-P zoned parcel to the west, and LPKC operations to the south and east. The proposed rezoning parcel is adjacent to an existing LPKC operation owned by this applicant which has frontage along 191<sup>st</sup> Street at the corner of Waverly Road. The subject property is outlined in red and shown in Figures 1 and 2 below.



**Figure 1**





**Figure 2**

## **PROJECT DESCRIPTION**

The rezoning request is to support a project which will expand a current cargo container storage facility with ancillary office uses.

## **INFRASTRUCTURE AND SERVICES**

1. Access to the property would be from 191<sup>st</sup> Street and Waverly Road.
2. Utilities and service providers.
  - a. Water - Johnson County Water District #7
  - b. Sanitary Sewer - City of Edgerton
  - c. Electrical Service - Kansas City Power & Light
  - d. Gas Service – Kansas Gas Service
  - e. Police service is provided by the city of Edgerton through the Johnson County Sheriff's Office
  - f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

## **PROPERTY ZONING HISTORY**

The subject property was annexed into the City of Edgerton on September 24, 2015. Prior to that, the property was in unincorporated Johnson County and as of this application it remains zoned City of Edgerton Agricultural (A-G).

## STAFF ANALYSIS

The applicant has requested rezoning to L-P, Logistics Park. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern type industrial uses or industrial park to support activities related to trade, rail and other transport services. Limitations are placed on the uses in the district to significantly restrict the outside activities and outside storage of materials, noise, vibration, etc. The UDC also states manufacturing uses should be conducted within a totally enclosed building. Any activities conducted outside should be screened and buffered, and external effects such as excessive noise or odor should not extend beyond the property lines.

Permitted uses within the L-P District include warehousing/distribution centers; motor freight transportation terminals; manufacturing, processing, fabrication or assembly of commodity – limited; and other permitted uses.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** - The applicant has requested L-P Zoning District designation to support construction of the project. Given the property's proximity to LPKC, the BNSF Railway intermodal facility and I-35, L-P Zoning District zoning is the most compatible designation for these uses.
2. **Magnitude of the Change** - The existing A-G zoning is considered a holding designation. The Future Land Use Map contained in the Comprehensive Plan has the property designated as appropriate and acceptable for Business Park/Industrial uses. The proposed rezoning is compatible with the spirit and intent of future development outlined by the Comprehensive Plan and depicted by the Future Land Use Map. Due to the property's proximity to LPKC, the BNSF Railway intermodal facility and interstate highway, the magnitude of the change is not considered extreme or rare when property is being developed for its designated and planned end use, in this case industrial development.
3. **Whether or not the change will bring harm to established property rights** - The subject property is surrounded by parcels containing an existing L-P zoning designation. If rezoned L-P as requested, a separate Site Plan review and approval will be required before building permits can be issued. Part of a Site Plan review will include attention to buffering and setbacks, stormwater management and transition of uses between adjoining uses and any proposed industrial use. This Site Plan review will help mitigate impacts that might occur to adjacent properties.
4. **Effective use of Land** - L-P District permitted uses at this location is an effective and efficient use of the property due to its proximity to the BNSF Railway intermodal facility, LPKC and the interstate.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** - Construction of cargo container storage facilities, warehousing, distribution, limited manufacturing and related facilities near the intermodal facility allows an inland port for goods in transit, by reducing truck traffic in the surrounding area and allowing for more efficient use of the supply chain.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural**

**features, and open space** – Continued development of the area includes intermodal related uses. With the extensive, recently completed road improvements and the interchange at I-35 and Homestead Lane, the character of the area has changed from rural to industrial. These parcels are located almost directly in the center of Logistics Park Kansas City. The parcel to the north contains a fully completed cargo container facility which if rezoning is approved, would expand onto this property; the parcel to the west is vacant but contains an L-P zoning designation; properties to the south and east of the applicant property contain existing LPKC warehouse facilities.

7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the north and east. The City's Unified Development Code (UDC) states that the purpose of the L-P District is to create a limited multimodal industrial zone which provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The site plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** - The existing Edgerton A-G zoning of the applicant property is not suitable for the proposed expansion of a cargo container storage facility use sought by the applicant. The Edgerton A-G zoning is primarily for agricultural use. An industrial use in a property annexed by the City, but zoned for agriculture, would not be compatible or appropriate. Therefore, a rezoning to the L-P district is the most appropriate designation for the proposed use.
9. **Length of time the subject property has remained vacant under the current zoning designation** - Based upon available aerial photography, the property was agricultural use in unincorporated Johnson County, prior to its annexation into the City of Edgerton in 2015.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the planned future uses of the surrounding property, specifically to the north and east. The City's Unified Development Code (UDC) states the purpose of the L-P District is to create a limited multimodal industrial zone that provides for modern types of industrial uses or an industrial park. Limitations are placed on uses in the district to significantly restrict outside activities and the outside storage of materials, noise, vibration, etc. The site plan review process can mitigate impacts to adjacent properties with the proper attention to buffering and setbacks, stormwater management, and transition of uses.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services** - The subject property is bordered by both 191<sup>st</sup> Street and Waverly Road. 191<sup>st</sup> Street is a

heavyweight corridor roadway which has the capacity to support development of the property. Utilities will be provided by the developer or the City in conjunction with development.

13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property** – 191<sup>st</sup> Street is designated as a heavyweight corridor roadway and it is improved to a standard which can accommodate industrial development traffic in the area. There are no known functional or safety issues occurring with the surrounding transportation network.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm** - The City will follow National Pollutant Discharge Elimination System (NPDES) guidelines and stormwater management requirements which require any application to address runoff and water pollution mitigation measures as part of the development of the property. Mitigation of pollution in the form of air, noise, light, etc., will be addressed as part of the Site Plan review process.
15. **The economic impact on the community from the uses allowed in the proposed zoning** - Uses allowed in the L-P District, have the potential to benefit the residents and community in a positive way by providing jobs, economic opportunities and tax revenues to respective jurisdictions.
16. **The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of this zoning application. However, the City would be adversely impacted due to the lost opportunities for jobs, economic activity and tax revenue if the anticipated logistics park uses and facilities were to locate in another community.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - The Comprehensive Plan for the City of Edgerton has the area which the property is in designated as appropriate for zoning and uses associated with business park and industrial zoning. City staff believes that the requested rezoning is compatible with the spirit and intent of future development outlined in the Comprehensive Plan and Future Land Use Map.
18. **The recommendation of professional staff** - See Recommendation below.

#### **Recommendation:**

City staff recommends **approval** of the proposed rezoning of the subject property from City of Edgerton Agricultural (A-G), to City of Edgerton Logistics Park District (L-P) with the following stipulations:

1. All infrastructure requirements of the City shall be met;
2. All platting requirements of the City shall be met;
3. All Site Plan application requirements of the City shall be met;
4. Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City.

Attachments:

- Application for Rezoning ZA2018-06
- Johnson County AIMS Map of Property
- City of Edgerton Future Land Use Map



LOCATION OR ADDRESS OF SUBJECT PROPERTY: 19270 Waverly Road & 19380 Waverly Road and associated farmland

PURPOSE FOR REZONING: Property to be developed as a container freight station and truck terminal.

REQUESTED REZONING CHANGE: FROM Agricultural (A-G) TO Logistics Park (L-P)  
(Current Zoning) (Proposed Zoning)

LEGAL DESCRIPTION: Please see Exhibit "A" for legal description of parcels.

CURRENT LAND USE: \_\_\_\_\_

PROPERTY OWNER'S NAME(S): \_\_\_\_\_ PHONE: 402-895-6692

COMPANY: Hastings Family Holdings LLC FAX: 402-895-7033

MAILING ADDRESS: 10001 South 152nd Street Omaha Nebraska 68138  
Street City State Zip

APPLICANT/AGENTS NAME(S): Christopher Stara PHONE: 531-444-4820

COMPANY: TSL Company Holdings Ltd. FAX: 402-895-7033

MAILING ADDRESS: 10001 South 152nd Street Omaha Nebraska 68138  
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): Chip Corcoran PHONE: 913-317-9500

COMPANY: Renaissance Infrastructure Consulting FAX: \_\_\_\_\_

MAILING ADDRESS: 5015 NW Canal Street, Suite 100 Riverside Missouri 64150  
Street City State Zip

SIGNATURE OF OWNER OR AGENT: 

If not signed by owner, authorization of agent must accompany this application.

**FOR OFFICE USE ONLY**

Case No.: RZ- \_\_\_\_\_ Amount of Fee Paid: \$ \_\_\_\_\_ Date Fee Paid: \_\_\_\_\_ Receipt # \_\_\_\_\_

Received By: \_\_\_\_\_ Date of Hearing: \_\_\_\_\_

**REZONING INSTRUCTIONS**

**CERTIFIED LETTERS:** The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership

vs. 9-9-11





of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

**AFFIDAVIT OF COMPLIANCE:** An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

**PLANNING COMMISSION REVIEW AND DECISION:** The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

**PROTEST PERIOD:** After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter (¾) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

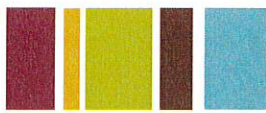
**GOVERNING BODY ACTION:** After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

## CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☒ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☒ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☒ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions



**PROPERTY OWNER NOTIFICATION LETTER**

Case No.: RZ- \_\_\_\_\_

Dear Sir or Madam:

This letter is to notify you that a public hearing will be held at the Edgerton Community Building, 404 E. Nelson St., Edgerton, Kansas, to consider a rezoning change request from Agricultural (A-G)

(current zoning) to Logistics Park (L-P)

(proposed zoning), on the following described tract of land:

**Legal Description:** 3-15-22 BG 660' S NE CR NE1/4 W 1319.2' S 330' E 1319.3' N 330' TO POB EX .303 AC IN RD 9.697 ACS M/L GA 189F, and 3-15-22 BG 990' S NE CR NE1/4 W 1319.3' S 358' E 1319.4' N 358' TO POB EX 1 AC & EX .331 AC IN RD 9.519 ACS M/L GA 189E, and 3-15-22 BG 990' S & 1022.30' WNE COR NE1/4 W 120' X S 358' 1AC M/L GA 189H, and 3-15-22 BG 990' N SE CR NE1/4 W 1319.6' N 330' E 1319.4' S 330' TO POB EX .303 AC IN RD 9.697 ACS M/L GA 189G

**General Location:** Thirty acres more or less along the west side of Waverly Road, located 675 feet south of the intersection of 191st Street and Waverly Road.

A public hearing will be held to consider the rezoning request on the above-described tract at 7:00 p.m. on September 11, 2018. Any interested persons or property owners are invited to attend. Information regarding this rezoning application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this rezoning request.

A fourteen (14) day protest period begins at the conclusion of the public hearing during which you may file a protest petition in the office of the City Clerk. If valid protest petitions are received from twenty (20) percent of the property owners within the notification area, a three-quarters (¾) vote of the Governing Body is required to approve this rezoning request.

Copies of the protest petitions are available in the office of the City Clerk.

Respectfully,

Hastings Family Holdings, LLC

Applicant (or Owner or Agent)

ADDRESS: <u>10001 South 152nd Street</u>	<u>Omaha</u>	<u>Nebraska</u>	<u>68138</u>
Street	City	State	Zip

**PROPERTY OWNER NOTIFICATION AFFIDAVIT**

Case No.: RZ- \_\_\_\_\_

I, **Christopher Stara**, of lawful age being first duly sworn upon oath, state:

That I am the agent (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

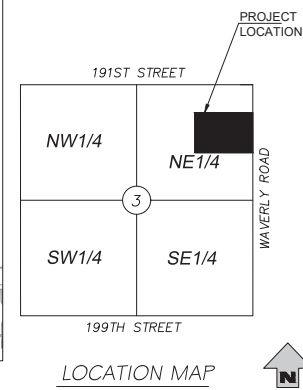
These notices were mailed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Agent, Owner or Attorney

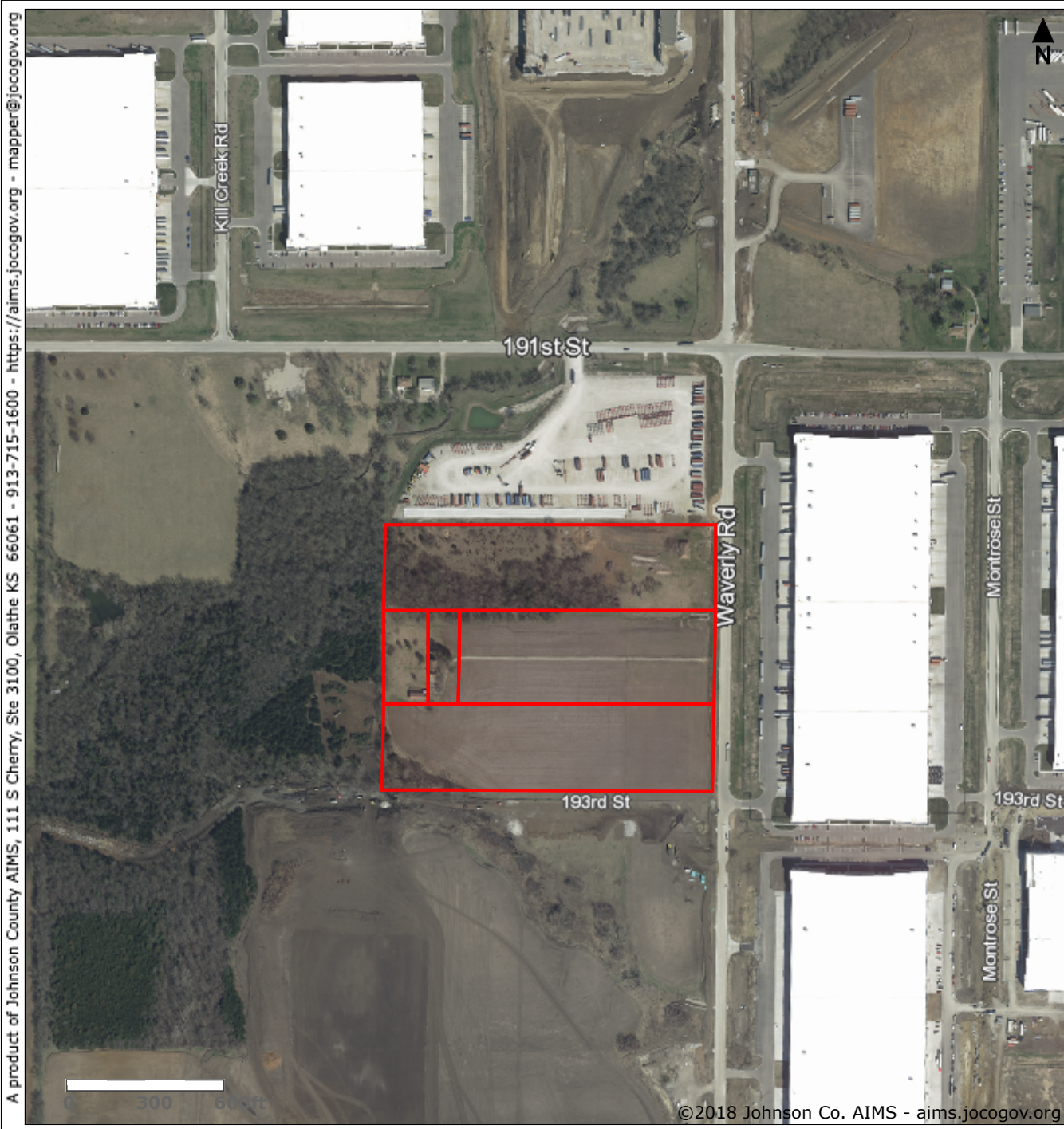
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_ (SEAL)  
Date







Johnson Co AIMS Map

LEGEND

AIMS Imagery: Current Imagery (2016)



Disclaimer: No person shall sell, give, reproduce, or receive for the purpose of selling or offering for sale, any portion of the data provided herein. Johnson County makes every effort to produce and publish the most current and accurate information possible. Johnson County assumes no liability whatsoever associated with the use or misuse of such data, and disclaims any representation or warranty as to the accuracy and currency of the data.

JOHNSON COUNTY  
KANSAS  
AIMS GIS & Mapping



EDGERTON CITY HALL  
PLANNING COMMISSION MEETING  
REGULAR SESSION  
October 9, 2018

The Edgerton Planning Commission met in regular session with Chair John Daley calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were: Commissioners John Daley, Tim Berger, Jeremy Little, and Charlie Crooks. Absent was Commissioner Andrew Merriman. Also present were: Mayor Donald Roberts, City Administrator Beth Linn, Development Services Director Katy Crow, and City Clerk Rachel James.

The City Clerk announced a quorum was present.

Commissioner Daley introduced the two new Commissioners: Jeremy Little and Charlie Crooks. Both Commissioners introduced themselves to the audience.

**CONSENT AGENDA**

Motion by Berger, seconded by Little, to approve the items as presented in the Consent Agenda. Motion was approved, 4-0.

**MINUTES**

- A. The minutes for Regular Session of August 14, 2018 were considered and approved.

**NEW BUSINESS**

**PUBLIC HEARING – ZA2018-08 (REZONING FOR ONE (1) PARCEL OF LAND  
GENERALLY LOCATED AT 310 W. 8<sup>TH</sup> STREET, EDGERTON, KS)**

A public hearing in regard to rezoning application, ZA2018-08, pertaining to the rezoning of one (1) parcel (containing approximately 1.43 acres) from non-designated zoning assignment to Edgerton R-1 Single Family Residence, located generally at 310 W. 8<sup>th</sup> Street, Edgerton, KS. Applicant: Victor R. Smith.

Katy Crow, Development Services Director, overviewed the history and reason for the rezoning request. She indicated the property was annexed in September 2014. She noted the rezoning is requested due to the fact the property does not contain a zoning designation in the Johnson County AIMS system. The parcel currently contains a single-family residence and pole barn.

Ms. Crow stated the applicant's request is for the R-1 Zoning District and that this is the most compatible zoning choice for the current property use. She also noted staff reviewed the application in respect to the Unified Development Code, laws of Kansas, and the "Golden Criteria."

Commissioner Daley opened the public hearing.

Commissioner Daley asked if anyone would like to comment. There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve the rezoning of one (1) parcel (containing approximately 1.43 acres) from non-designated zoning assignment to Edgerton R-1 Single Family Residence. The motion was approved 4-0.

**PUBLIC HEARING – ZA2018-06 (REZONING FOR FOUR (4) PARCELS OF LAND GENERALLY LOCATED SOUTH OF THE INTERSECTION OF WAVERLY ROAD AND 191<sup>ST</sup> STREET)**

A public hearing in regard to rezoning application, ZA2018-06, pertaining to the rezoning of four (4) parcels (containing approximately 30 acres) from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located South of the intersection of Waverly Road and 191<sup>st</sup> Street. Applicant: Christopher Stara, Agent

Katy Crow, Development Services Director, overviewed the history and reason for the rezoning request. Ms. Crow stated the property was annexed in September 2015. This zoning is being requested for future intermodal-related development. The property is located near the center of the LPKC park and is currently surrounded by existing LPKC operations on all sides. The rezoning is sought in order to allow for a project which would create more cargo container storage as well as additional office space.

Ms. Crow stated the applicant's request is for the L-P Logistics Park Zoning District and that this is the most compatible zoning choice for the current property use. Ms. Crow noted that the rezoning is compatible with the surrounding designation as the majority of the surrounding area has changed from rural to industrial. She also noted staff reviewed the application in respect to the Unified Development Code, laws of Kansas, and the "Golden Criteria."

Commissioner Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Commissioner Daley asked to be shown the location of the property on the large display map. Beth Linn, City Administrator, pointed out the property.

Motion by Berger, Second by Little to approve with the following stipulations: 1.) All infrastructure of the City shall be met; 2.) All platting requirements of the City shall be met; 3.) All Site Plan application requirements of the City shall be met; 4.) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 4-0.

**PUBLIC HEARING – ZA2018-07 (REZONING FOR TWO (2) PARCELS OF LAND GENERALLY LOCATED DIRECTLY NORTH 31800 W. 196<sup>TH</sup> STREET AND EAST OF 32285 W. 191<sup>ST</sup> STREET)**



A public hearing in regard to rezoning application, ZA2018-07, pertaining to the rezoning of two (2) parcels (containing approximately 30 acres) from Johnson County RUR Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located directly north of 31800 W. 196<sup>th</sup> Street. Applicant: Harold J. Curry, Trustee of the Curry Survivor's Trust.

Katy Crow, Development Services Director, overviewed the history of the property, which was annexed into the City in August 2018. This zoning is being requested for future intermodal-related development. The property is currently surrounded by LPKC property on the North and South sides. The East is vacant L-P zoned land and a commercial nursery to the West. The applicant is seeking rezoning to encourage potential logistics park development on these parcels.

Commissioner Crooks asked what is directly north of the property. Ms. Crow responded by saying the Gifford's Property which is zoned L-P.

Commissioner Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve with the following stipulations: 1.) All infrastructure of the City shall be met; 2.) All platting requirements of the City shall be met; 3.) All Site Plan application requirements of the City shall be met; 4.) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 4-0.

#### **FINAL PLAT – FP2018-04 (LPKC SOUTHWEST - IP XXIII)**

An application for Final Plat, FP2018-04, requesting approval of a final plat for Logistics Park Kansas City Southwest – IP XXIII, located at the northeast corner of the intersection of 199<sup>th</sup> Street and Four Corners Road, consisting of one (1) lot, and three (3) tracts, containing approximately 116.14 acres was considered. Applicant: Chris Chancellor representing NPD Management, LLC.

Katy Crow, Development Services Director, overviewed the changes made to the Plat from the time that the Preliminary Plat was reviewed at the June 12, 2018 Planning Commission meeting. At that time the submission was for two (2) lots and four (4) tracts. Road access was proposed for two (2) entrances off 199<sup>th</sup> Street and one via Essex Street, which would be extended from approximately 193<sup>rd</sup> Street south to 199<sup>th</sup> Street. The current request for Final Plat approval would be to subdivide and plat land to support a project seeking to construct and operate a large warehouse/distribution building. The existing parcel would be platted into one (1) lot and three (3) tracts. The south side of Lot 1 w FINAL PLAT – FP2018-04 (LPKC SOUTHWEST - IP XXIII)

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Beth Linn, City Administrator, stated that access via homestead land is not included on the plat so, even in the future, access will not be granted. There would be one access point to the facility for car traffic on 199th Street. Truck traffic would only be able to access the facility from Essex Road, which will include a roundabout. Ms. Linn stated the City Engineering is still reviewing the plans for the roundabout to make sure truck traffic can revolve around the roundabout hauling a 54-foot trailer.

Commissioner Daley stated he would take public comments at this time.

Cliff Cole, 19911 Peppertree Lane, Edgerton, KS, 66021, commented that he wanted to make sure water detention was being addressed properly and that 199th can't sustain truck traffic. Mr. Cole also stated that 199th has become dangerous due to the speed of drivers and any truck traffic could increase this.

Lonny Vlieger, 19910 Peppertree Lane, Edgerton, KS, 66021, commented about the exit onto 199th and asked if they had considered other areas for the entrance/exit.

Marshall Wolfe, 20090 Peppertree Lane, Edgerton, KS, 66021, commented there should be a traffic study conducted to make sure the exit will not negatively impact the traffic on 199th.

Ms. Linn addressed the questions and comments by speaking more in depth about the plans for the water detention ponds, road plans, truck routes, and traffic on 199th Street.

Motion by Berger, Second by Crooks to approve FP2018-04 Final Plat for LPKC Southwest with the following stipulations: 1.) The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body; 2.) Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements; 3.) A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements; 4.) The applicant shall meet all

requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax; 5.) The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code; 6.) All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat. Tract A would have frontage along 199<sup>th</sup> Street and the west side would have frontage along Four Corners Road. Tract C has frontage on, but no access to, Homestead Lane. Ms. Crow noted staff recommends approval, with stipulations. Ms. Crow also introduced Brett Powell from Northpoint Development, who stood for questions.

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## City Council Action Item

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**Council Meeting Date:** October 25, 2018

**Department:** Community Development

**Agenda Item: Consider Ordinance No. 1093 Adopting A Recommendation By The City Planning Commission To Approve Rezoning Of Approximately 1.43 Acres Of Land [Generally Located at 310 W. 8<sup>th</sup> Street] In Edgerton, Kansas From No Zoning To City Of Edgerton L-P Logistics Park Zoning District**

**Background/Description of Item:** At the request of City staff, The City of Edgerton received an application ZA-2018-08 for rezoning from Victor Smith, owner, for the parcel located at 310 W. 8<sup>th</sup> Street. This parcel is approximately 1.43 acres and currently lacks a zoning designation. It is believed by staff that the zoning designation was lost in the JoCo AIMS system when the parcel was re-addressed into the Edgerton addressing system in March 2015. The property requesting rezoning annexed into the City of Edgerton on September 25, 2014. The applicant is requesting a zoning designation of R-1 Single Family Residence District. The requested action is a housekeeping item to insure the parcel conforms to the City's Unified Development Code (UDC).

Staff reviewed this rezoning application with respect to the Edgerton Comprehensive Plan, Zoning and Subdivision Regulations, and the laws in Kansas, in particular the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. Attached is the staff report including the review of this rezoning based on the Golden Criteria. The Planning Commission held a Public Hearing on October 9, 2018 regarding this rezoning. The Planning Commission recommended approval of the application with the following stipulations:

1. All infrastructure requirements of the City shall be met.
2. All platting requirements of the City shall be met.
3. All Site Plan application requirements of the City shall be met.
4. Prior to issuance of building permits, the property shall have an approved Site Plan reviewed and approved by the City.

**Related Ordinance(s) or Statute(s):** K.S.A. 12-715b, K.S.A. 12-741, et. Seq. to K.S.A. 12-771 – Establishment of the Unified Development Code

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**Funding Source:** N/A

**Budget Allocated:** N/A

**Finance Director Approval:** N/A

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**Recommendation: Approve Ordinance No. 1093 Adopting A Recommendation By The City Planning Commission To Approve Rezoning Of Approximately 1.43 Acres Of Land [Located At 310 W. 8<sup>th</sup> Street] In Edgerton, Kansas From No Zoning Designation To City Of Edgerton R-1 Single Family Residence District**

**Enclosed:**

- Ordinance No. 1093
- Staff Report from October 9, 2018 Planning Commission
- Application ZA-2018-08
- Draft minutes of October 9, 2018 Planning Commission Meeting

**Prepared by:** Katy Crow, Development Services Director

## **ORDINANCE NO. 1093**

### **AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF EDGERTON PLANNING COMMISSION TO APPROVE THE REZONING OF APPROXIMATELY 1.43 ACRES OF LAND [LOCATED AT 310 W. 8<sup>th</sup> STREET] IN EDGERTON, KANSAS FROM NO ZONING DESIGNATION TO CITY OF EDGERTON "R-1" SINGLE FAMILY RESIDENCE DISTRICT**

**WHEREAS**, the Planning Commission of the City of Edgerton, Kansas received a request from the owner(s) of approximately 1.43 acres of land located at 310 W. 8<sup>th</sup> Street in Edgerton to rezone that property from a non-zoning designation to "R-1" Single Family Residential; and

**WHEREAS**, following a public hearing in front of the Planning Commission on October 9, 2018 the Planning Commission has recommended that the rezoning request for 310 W. 8<sup>th</sup> Street -- from no designated zoning to City of Edgerton "R-1" Single Family Residence District -- be approved; and

**WHEREAS**, all required newspaper and mailing notifications were performed.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:**

**Section 1.** That the following legally described property (located at 310 W. 8<sup>th</sup> Street) is hereby rezoned from no zoning designation to City of Edgerton "R-1" Single Family Residence District, and that City Staff is hereby directed to reflect said rezoning in the City's Official Zoning map and other City records:

A tract of land in the Northeast ¼ of the Northeast ¼, of Section 12, Township 15, Range 21, Johnson County, Kansas described as follows: Beginning at a point 863.86 feet South of the Northeast corner of the Northeast ¼ of Section 12, said point being on the East line of said Quarter Section; Thence North 88 degrees 33 minutes West, 323.22 feet; thence South 1 degree 27 minutes West, 94.23 feet; thence North 87 degrees 05 minutes West 98.49 feet; thence South 01 degrees 16 minutes East, 32.38 feet; thence South 69 degrees 03 minutes East 220.49 feet; thence South 88 degrees 38 minutes East, 211.53 feet to a point on the East line of said Quarter Section; thence North 200.50 feet and along the East line of said Quarter Section to the point of beginning, except that part in road.

**Section 2.** That the Governing Body, in making its decision on the request and recommendation for rezoning, considered City Staff's comments and recommendations. The Governing Body also based its decision on the following criteria:

- a) The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space.
- b) Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties.
- c) The extent to which the zoning amendment may detrimentally affect nearby

property has been addressed.

- d) The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial.
- e) Consistency with the Comprehensive Plan, Utilities and Facilities Plans, Capital Improvement Plan, Area Plans, ordinances, policies, and applicable City Code of the City of Edgerton.

**Section 4.** This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR OF THE CITY OF EDGERTON, KANSAS ON THE 25<sup>th</sup> DAY OF OCTOBER, 2018.

CITY OF EDGERTON, KANSAS

By: \_\_\_\_\_  
Donald Roberts, Mayor

ATTEST:

\_\_\_\_\_  
Rachel James, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Lee Hendricks, City Attorney



**STAFF REPORT**

October 9, 2018

To: Edgerton Planning Commission  
Fr: Katy Crow, Development Services Director  
Re: Application **ZA-2018-08** Rezoning for one (1) parcels of land generally located at 310 W. 8<sup>th</sup> Street, Edgerton, KS

**APPLICATION INFORMATION**

**Applicant:** Victor R. Smith  
310 W. 8<sup>th</sup> Street  
Edgerton, KS 66021

**Property Owner:** Victor R. Smith  
310 W. 8<sup>th</sup> Street  
Edgerton, KS 66021

**Requested Action:** Rezoning from non-designated zoning assignment to Edgerton R-1 Single Family Residence

**Legal Description:** A tract of land in the Northeast Quarter of Section 12, Township 15, Range 21 - see attached exhibits for complete description.

**Site Address/Location:** Generally located on the west side of 8<sup>th</sup> Street between Nelson and Morgan Street (US Highway 56)

**Existing Zoning and Land Uses:** Non-designated zoning with residential use

**Existing Improvements:** Residential home with pole barn outbuilding.

**Site Size:** Approximately 1.43 acres.

**REASON FOR REZONING REQUEST:**

This property was annexed into the City of Edgerton on September 25, 2014. This rezoning is being requested as this property currently does not contain a zoning designation in the Johnson County AIMS system. This parcel is across the street from an existing residential development and currently contains a single-family residence and a pole barn.

Figure 1



Figure 2



## PROJECT DESCRIPTION

The rezoning request is to bring the zoning in compliance with the Edgerton Unified Development Code and Zoning Ordinance.

## INFRASTRUCTURE AND SERVICES

1. Access to the property is from 8<sup>th</sup> Street.
2. Utilities and service providers.
  - a. Water – City of Edgerton
  - b. Sanitary Sewer - City of Edgerton
  - c. Electrical Service - Kansas City Power & Light
  - d. Gas Service – Kansas Gas Service
  - e. Police service is provided by the city of Edgerton through the Johnson County Sheriff's Office
  - f. Fire protection is provided by Johnson County Fire District #1
3. Property is located within the Bull Creek watershed.

## PROPERTY ZONING HISTORY

The subject property was annexed into the City of Edgerton on September 25, 2014. Prior to that, the property was in unincorporated Johnson County. As of this application it does not contain a zoning designation. Staff believes the zoning designation was lost in the system when it was re-addressed into the Edgerton addressing system from County addressing system in March 2015. The parcel has not undergone a City of Edgerton rezoning process since the annexation took place.

## STAFF ANALYSIS

The requested action is a housekeeping item to insure the parcel conforms to the City's Unified Development Code (UDC). The UDC states the purpose of an R-1 Single Family Residence District designation is to encourage single-family, detached residential dwellings together with school sites, churches, civic buildings and parks necessary to create stable neighborhoods. The single-family detached residence on this parcel is a permitted use within the R-1 District.

Staff has reviewed this rezoning application with respect to the Edgerton Unified Development Code, the laws of Kansas, and the "Golden Criteria" as established by the Supreme Court of Kansas in 1978. The following is staff's review.

1. **Need for the Proposed Change** - The applicant has requested R-1 Zoning District designation for their parcel. Given the property's proximity to other adjacent residential home development and the existence of a single-family dwelling on the property, R-1 Zoning District designation is the most compatible zoning choice for the current property use.
2. **Magnitude of the Change** – City code requires the assignment of a zoning designation to all parcels located within the City of Edgerton. The Future Land Use Map contained in the Comprehensive Plan has the property designated as Low-Density Residential. The proposed rezoning designation of R-1 is compatible with the spirit and intent of future development outlined by the Comprehensive Plan and depicted by the Future Land Use Map.

3. **Whether or not the change will bring harm to established property rights** - The subject property is across the street from a single-family subdivision and adjacent to a parcel on the north which all contain an R-1 zoning designation. The parcel to the east and south of this property is zoned Johnson County RUR, also a residential zoning designation. Per photos on JoCo AIMS, this parcel has contained a single-family residence since at least 1993. Established property rights should not be impacted by this zoning designation.
4. **Effective use of Land** – The designation as an R-1 District is an effective and efficient use of the property due to its existing use and its adjacency to existing residential parcels.
5. **The extent to which there is a need in the community for the uses allowed in the proposed zoning** – Single-family residential is an approved use within the proposed R-1 zoning and a necessary use within the Edgerton community.
6. **The character of the neighborhood, including but not limited to: zoning, existing and approved land use, platting, density (residential), natural features, and open space** – The area where this parcel is located is on the western edge of residential development within the Edgerton community. Parcels to the east, from US Highway 56 on the north to 207<sup>th</sup> Street on the south, contain single-family residential housing. The parcel to the north is zoned Edgerton R-1 and the parcel to the south and west is zoned Johnson County RUR.
7. **Compatibility of the proposed zoning and uses permitted therein with the zoning and uses of nearby properties** - The proposed zoning is compatible with the existing uses of the surrounding property, specifically to the north and east. The City's Unified Development Code (UDC) states that the purpose of the R-1 District is to encourage single-family, detached residential dwellings together with school sites, churches, civic buildings and parks necessary to create stable neighborhoods. The single-family detached residence on this parcel is a permitted use within the R-1 District.
8. **Suitability of the uses to which the property has been restricted under its existing zoning** – The lack of an existing Edgerton zoning for the applicant property is not suitable the parcel. City code requires the assignment of a zoning designation to all parcels located within the City of Edgerton.
9. **Length of time the subject property has remained vacant under the current zoning designation** – N/A – the current parcel is not vacant. This parcel is not being rezoned for development, but rather to ensure compliance with Edgerton code.
10. **The extent to which the zoning amendment may detrimentally affect nearby property** - The proposed zoning is compatible with the Future Land Use Map. Existing developed parcels to the north and east already contain R-1 zoning. The parcel to the south and west contains a similar zoning designation with Johnson County RUR.
11. **Consideration of rezoning applications requesting Planned Development Districts (PUD) for multifamily and non-residential uses should include architectural style, building materials, height, structural mass, siting, and lot coverage** - This is not a request for a PUD.
12. **The availability and adequacy of required utilities and services to serve the uses allowed in the proposed zoning. These utilities and services include, but are not limited to, sanitary and storm sewers, water, electrical and gas service, police and fire protection, schools, parks and recreation facilities and services, and other similar public facilities and services** - The subject

property is already developed, and no additional utility service or road access is being sought with this rezoning.

13. **The extent to which the uses allowed in the proposed zoning would adversely affect the capacity or safety of that portion of the road network influenced by the uses, or present parking problems in the vicinity of the property** – This parcel fronts, and the existing driveway exits, onto 8<sup>th</sup> Street. No additional development is planned for this parcel thus no additional traffic or parking needs are anticipated. There are no known functional or safety issues occurring with the surrounding transportation network.
14. **The environmental impacts that the uses allowed in the proposed zoning would create (if any) including, but not limited to, excessive storm water runoff, water pollution, air pollution, noise pollution, excessive nighttime lighting or other environmental harm** – N/A – no additional development is occurring with the proposed rezoning.
15. **The economic impact on the community from the uses allowed in the proposed zoning** – N/A – there is no economic impact occurring in conjunction with the proposed rezoning.
16. **The relative gain (if any) to the public health, safety, and welfare from a denial of the rezoning application as compared to the hardship imposed upon the rezoning applicant from such denial** - There would be little relative gain, if any, to the public health, safety, and welfare from the denial of this zoning application. This rezoning is occurring as a housekeeping item for a parcel annexed into the City of Edgerton a number of years ago.
17. **Consistency with the Comprehensive Plan, Capital Improvement Plan, ordinances, policies, and applicable City Code of the City of Edgerton** - The Comprehensive Plan for the City of Edgerton has the area which the property is in designated as appropriate for zoning and uses associated with single-family residential zoning. City staff believes that the requested rezoning is compatible with the spirit and intent of future development outlined in the Comprehensive Plan and Future Land Use Map.
18. **The recommendation of professional staff** - See Recommendation below.

**Recommendation:**

City staff recommends **approval** of the proposed rezoning of the subject property from no zoning designation to City of Edgerton Agricultural (R-1) Single Family Residential.

**Attachments:**

- Application for Rezoning ZA2018-08
- Johnson County AIMS Map of Property
- City of Edgerton Future Land Use Map



LOCATION OR ADDRESS OF SUBJECT PROPERTY: 310 W. 8th Street, Edgerton, Kansas

PURPOSE FOR REZONING: To conform to Edgerton zoning classification; not rezoned since annexation

REQUESTED REZONING CHANGE: FROM no existing zoning TO Edgerton R-1  
(Current Zoning) (Proposed Zoning)

LEGAL DESCRIPTION: See attached - Ordinance 981 for complete Legal Description

CURRENT LAND USE: Residential

PROPERTY OWNER'S NAME(S): Victor Smith PHONE: 816-419-9324

COMPANY: N/A FAX: \_\_\_\_\_

MAILING ADDRESS: 310 W. 8th St Edgerton KS 66021  
Street City State Zip

APPLICANT/AGENTS NAME(S): Self PHONE: \_\_\_\_\_

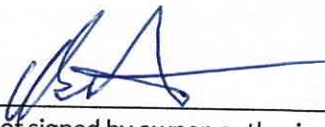
COMPANY: \_\_\_\_\_ FAX: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_  
Street City State Zip

ENGINEER/ARCHITECT'S NAME(S): N/A PHONE: \_\_\_\_\_

COMPANY: \_\_\_\_\_ FAX: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_  
Street City State Zip

SIGNATURE OF OWNER OR AGENT: 

If not signed by owner, authorization of agent must accompany this application.

#### FOR OFFICE USE ONLY

Case No.: RZ-2018-08 Amount of Fee Paid: \$ WAIVED Date Fee Paid: N/A Receipt #: N/A

Received By: Kary Crow 8-30-18 Date of Hearing: 10/09/2018

#### REZONING INSTRUCTIONS

VSmith0128@yahoo.com

**CERTIFIED LETTERS:** The applicant will be responsible for mailing notices (see attached Property Owner Notification Letter) of the public hearing for the requested rezoning by certified mail, return receipt requested, to all owners of land within the notification area: two hundred (200) feet within the city limit, one thousand (1,000) feet in the unincorporated area of the subject property. These notices must be sent a minimum of twenty (20) days prior to the public hearing. Information regarding ownership



of the land within the notification area can be obtained from the Johnson County Department of Records and Tax Administration, or through a title insurance company (preferred method). A list of property owners within the notification area must be submitted with the application. In addition, the responsible fire protection district (if any), affected school districts, affected park districts and affected sanitary and/or drainage district shall appear on a separate list of notification. Additional parties, specified by the applicant, may appear on the notification list.

**AFFIDAVIT OF COMPLIANCE:** An affidavit (see attached Property Owner Notification Affidavit) concerning the mailing of property owner notification letters must be returned to the office of the City Clerk by no later than the Thursday preceding the public hearing.

**PLANNING COMMISSION REVIEW AND DECISION:** The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The agenda and staff reports will be available prior to the public hearing. The chairperson will open the public hearing for each case to hear presentations by the City staff, the owner or authorized agent, and the audience, respectively. After everyone has had the opportunity to speak, the Planning Commission will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the Planning Commission and action will be taken in the form of a recommendation for approval or denial to the Governing Body.

**PROTEST PERIOD:** After the conclusion of the public hearing, a fourteen (14) day protest period begins. During the protest period, property owners within the notification area of the subject property may file a petition indicating their protest to the requested rezoning in the office of the City Clerk. The submission of valid protest petitions from property owners of twenty (20) percent of the land within the notification area of the subject property within the allotted time will require a three-quarter (¾) vote for approval by the Governing Body. Copies of protest petitions may be obtained in the office of the City Clerk.

**GOVERNING BODY ACTION:** After the protest period has concluded, the application will be placed on an agenda for the Governing Body Action (typically within thirty (30) days after the conclusion of the public hearing). The Governing Body will review the transcript of the public hearing and the recommendation of the Planning Commission and will take action by concurring with or overriding the Planning Commission recommendation, or by returning the request to the Planning Commission.

## CHECKLIST

The following items shall be submitted with the rezoning application. All materials shall be submitted by applicant to the City Clerk at least 30 days in advance of a public hearing.

- ☐ Title or other suitable proof of ownership to the subject property.
- ☐ Legal description of the subject property either in the form of a certificate of survey or a lot and block reference to the official City Map.
- ☐ Sketch of the subject property drawn to scale that details the lot lines, existing features or building, drives and adjacent buildings, and the current use of existing buildings.
- ☐ Any supporting material as requested by the Zoning Administrator depending on the magnitude of the change and the possibility of detrimental effects on surrounding properties. Supporting materials may include, but are not limited to:
  - ☐ Topography at an appropriate scale
  - ☐ A Certificate of Survey
  - ☐ Environmental assessment
  - ☐ Surface water discharge analysis
  - ☐ Facilities and utilities suitability analysis
  - ☐ An analysis of existing wells, tanks and other sub-structures
  - ☐ Traffic and parking analysis
- ☐ List of the names and addresses of owners of all property situated within two hundred (200) feet of the property lines of the subject site. See details in instructions

## PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: RZ- ZA 2018-08I, Debra Gragg, of lawful age being first duly sworn upon oath, state:

That I am the agent (agent owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 19<sup>th</sup> day of September, 20 18.Debra A Gragg  
Signature of Agent, Owner or AttorneySubscribed and sworn to before me this 26<sup>th</sup> day of September, 20 18.Kathleen Crow  
Notary PublicMy Commission Expires: 12/31/2019 (SEAL)  
Date



**PROPERTY OWNER NOTIFICATION AFFIDAVIT**

Case No.: RZ- \_\_\_\_\_

I, \_\_\_\_\_, of lawful age being first duly sworn upon oath, state:

That I am the \_\_\_\_\_ (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_ (SEAL)  
Date

20150107-0001041 01/07/2015  
P: 1 of 5 F: \$0.00 02:23:31 PM  
Register of Deeds T20150000918  
JO CO KS BK:201501 PG:001041

## CERTIFICATION

I, Janeice L. Rawles, City Clerk for the City of Edgerton, Kansas, do hereby certify the attached Ordinance No. 981 approved by the Governing Body of the City of Edgerton, Kansas on September 25, 2014, and duly published by the Gardner News, the official newspaper for the City of Edgerton, Kansas, on October 1, 2014 to be true and correct as same appears in my office.

Dated this 30th day of December, 2014.



*Janeice L. Rawles*

Janeice L. Rawles, City Clerk

Env: City of EDC

**ORDINANCE NO. 981****AN ORDINANCE ANNEXING LAND [OWNED BY VICTOR AND LORI SMITH] INTO THE CITY OF EDGERTON, KANSAS**

**WHEREAS**, the land legally described in the attached **Exhibit A**, located at 20040 Edgerton Road, adjoins the City of Edgerton, Kansas; and

**WHEREAS**, the owners of the land described in **Exhibit A** attached hereto have signed a written consent authorizing the City to annex such land pursuant to K.S.A. 12-520, as amended, said Consent attached as **Exhibit A**; and

**WHEREAS**, the governing body of the City of Edgerton, Kansas finds it advisable to annex such land.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS:**

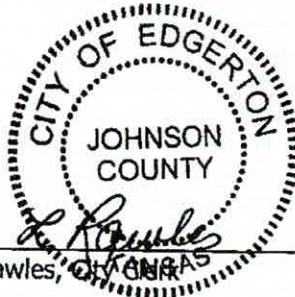
**SECTION ONE: Annexed Property.** That the land described in **Exhibit A** attached hereto is hereby annexed and made a part of the City of Edgerton, Kansas.

**SECTION TWO: Filing of Ordinance.** The Clerk of the City of Edgerton, Kansas shall cause a certified copy of this ordinance to be filed with the County Clerk, Register of Deeds, and County Election Commissioner of Johnson County, Kansas.

**SECTION THREE: Effective Date.** This ordinance shall take effect and be in force from and after its adoption and publication in the official newspaper of the City of Edgerton, as provided by law.

**ADOPTED AND APPROVED** this 25th day of September, 2014, by the Governing Body of the City of Edgerton, Kansas.

Attest:



*Janeice L. Rawles*  
Janeice L. Rawles, City Clerk

*Donald Roberts*  
Donald Roberts, Mayor

Approved as to form and legality:

*Patrick G. Reavey*  
Patrick G. Reavey, City Attorney



20040205-0002169 02/05/2004  
 P 1 of 3 F \$16.00 10:57:12 AM  
 Rebecca L Davis T20040015738  
 Johnson Co ROD B 200402 P:002169

ENTERED IN TRANSFER RECORD  
 DATE Feb 3 2004  
EN  
 JOHN A BARTOLAC, COUNTY CLERK  
 JOHNSON COUNTY, KANSAS

**KANSAS WARRANTY DEED**  
 470421

**THIS INDENTURE**, Made on the 24<sup>th</sup> day of December, 2003, by and between Mark D. Verhulst and Mary Ann Verhulst, husband and wife of the County of Johnson, State of Kansas, herein called the grantor whether one or more, and Victor R. Smith, a married man of the County of Johnson, State of Kansas, herein called the grantee whether one or more.

Pursuant to K.S.A. 79-1437e, a real estate sales validation questionnaire is not required due to Exception # 3

**WITNESSED: THAT SAID GRANTOR**, in consideration of the sum of One Dollar and other valuable consideration the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and convey unto the said grantee, his heirs and assigns, all the following described real estate, situated in the County of Johnson and State of Kansas, to-wit:

SEE ATTACHED LEGAL DESCRIPTION pg 3

**SUBJECT TO** covenants, conditions, easements, restrictions and reservations of record, if any.

**TO HAVE AND TO HOLD THE SAME**, Together with all and singular, the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, forever. And said grantor for his heirs, executors or administrators, does hereby covenant, promise and agree to and with said grantee, that at the delivery of these presents he is lawfully seized in his own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances, that the same are free, clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of what nature or kind soever except as hereinbefore stated, and except for the lien of taxes, both general and special, not now due and payable.

**AND** that he will warrant and forever defend the same unto the said grantee, his heirs and assigns, against said grantor, his heirs, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

**WORDS** and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.



IN WITNESS WHEREOF, The said grantor has hereunto set his hand and seal the day and year above written.

Mark D. Verhulst  
Mark D. Verhulst

Mary Ann Verhulst  
Mary Ann Verhulst

STATE OF Kansas

COUNTY OF Johnson

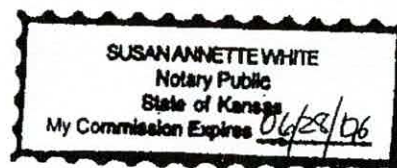
On this 24<sup>th</sup> day of December, 2003 before me, the undersigned, a Notary Public, personally appeared Mark D. Verhulst and Mary Ann Verhulst, husband and wife to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their free act and deed.

Witness my hand and notarial seal subscribed and affixed in said County and State, the day and year first above written.

My term expires 06/28/06

\* Return to  
Northwest Title & Escrow  
4444 N. Bellevue #110  
Gladstone, Mo. 64116  
816-452-0020

Susan Annette White  
Notary Public in and for said County and State  
Susan Annette White



## Legal Description

A tract of land in the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 12, Township 15, Range 21, Johnson County, Kansas described as follows: Beginning at a point 863.86 feet South of the Northeast corner of the Northeast  $\frac{1}{4}$  of Section 12, said point being on the East line of said Quarter Section; Thence North 88 degrees 33 minutes West, 323.22 feet; thence South 1 degree 27 minutes West, 94.23 feet; thence North 87 degrees 05 minutes West 98.49 feet; thence South 01 degrees 16 minutes East, 32.38 feet; thence South 69 degrees 03 minutes East 220.49 feet; thence South 88 degrees 38 minutes East, 211.53 feet to a point on the East line of said Quarter Section; thence North 200.50 feet and along the East line of said Quarter Section to the point of beginning, except that part in road.

CITY OF EDGERTON, KANSAS  
NOTICE OF HEARING FOR REZONING PLAN  
Case No: ZA2018-08

Notice is hereby given that the Planning Commission of the City of Edgerton, Kansas, will hold a Public Hearing at their regularly scheduled meeting on Tuesday, October 9, 2018 at Edgerton City Hall, 404 E. Nelson Street, Edgerton, Kansas at 7:00 p.m. at which time and place the public may be heard in regards to the Rezoning Request for the following described real property situated in the City of Edgerton, Johnson County, Kansas to wit:

Victor R. Smith, owner of the property located at 310 W. 8<sup>th</sup> Street, Edgerton, KS, requests a change in the zoning from a non-designated zoning assignment to City of Edgerton Single Family Residential (R-1) on the following real property, as noted and described:

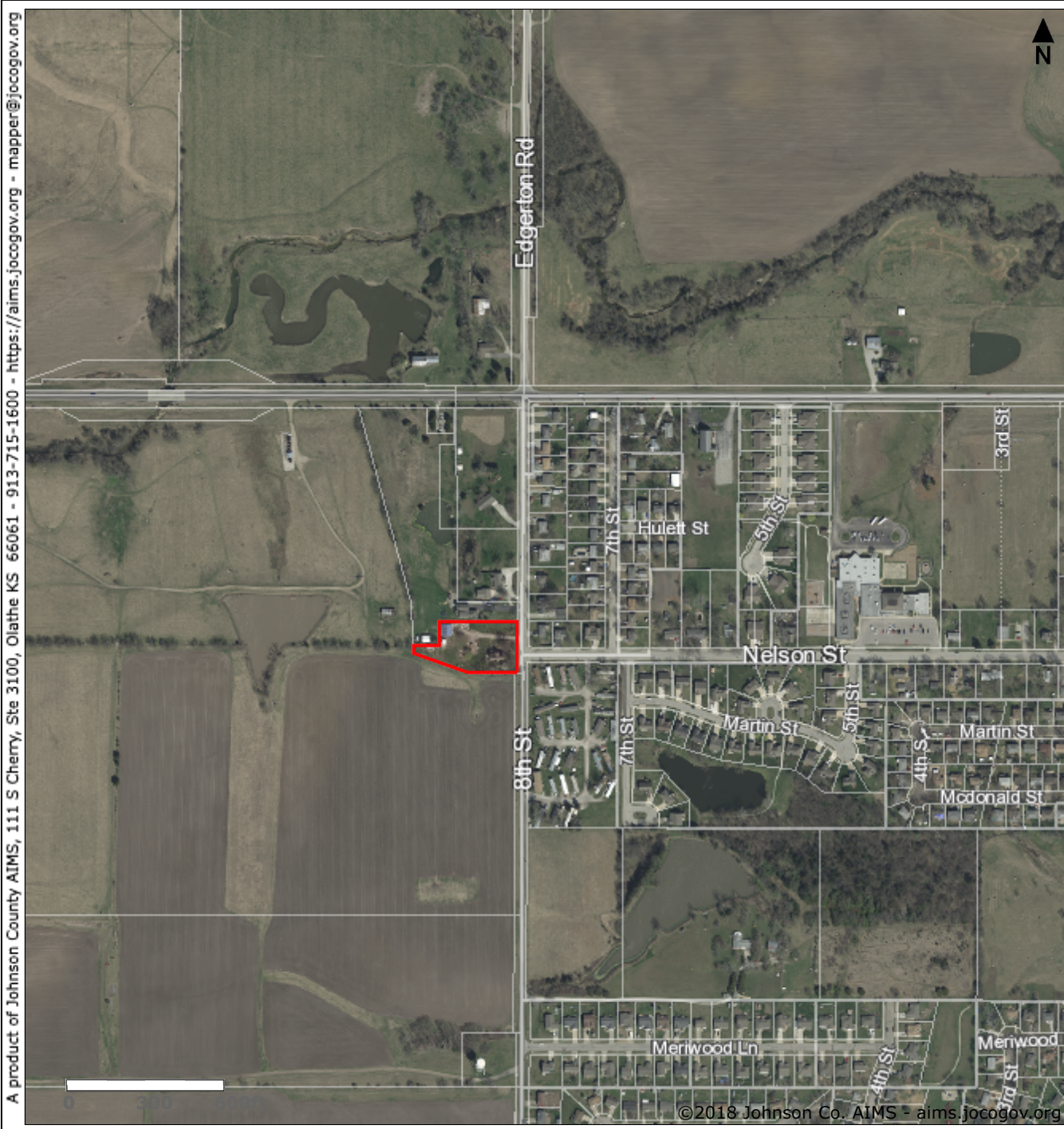
A tract of land in the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , of Section 12, Township 15, Range 21, Johnson County, Kansas described as follows: Beginning at a point 863.86 feet South of the Northeast corner of the Northeast  $\frac{1}{4}$  of Section 12, said point being on the East line of said Quarter Section; Thence North 88 degrees 33 minutes West, 323.22 feet; thence South 1 degree 27 minutes West, 94.23 feet; thence North 87 degrees 05 minutes West 98.49 feet; thence South 01 degrees 16 minutes East, 32.38 feet; thence South 69 degrees 03 minutes East 220.49 feet; thence South 88 degrees 38 minutes East, 211.53 feet to a point on the East line of said Quarter Section; thence North 200.50 feet and along the East line of said Quarter Section to the point of beginning, except that part in road.

Dated this 19th day of September, 2018.

John Daley, Chairperson  
Edgerton Planning Commission

City of Edgerton, P.O. Box 255, 404 E. Nelson St., Edgerton, KS 66021





Johnson Co AIMS Map

LEGEND

- AIMS Imagery: Current Imagery (2016)
- Property



Disclaimer: No person shall sell, give, reproduce, or receive for the purpose of selling or offering for sale, any portion of the data provided herein. Johnson County makes every effort to produce and publish the most current and accurate information possible. Johnson County assumes no liability whatsoever associated with the use or misuse of such data, and disclaims any representation or warranty as to the accuracy and currency of the data.







EDGERTON CITY HALL  
PLANNING COMMISSION MEETING  
REGULAR SESSION  
October 9, 2018

The Edgerton Planning Commission met in regular session with Chair John Daley calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were: Commissioners John Daley, Tim Berger, Jeremy Little, and Charlie Crooks. Absent was Commissioner Andrew Merriman. Also present were: Mayor Donald Roberts, City Administrator Beth Linn, Development Services Director Katy Crow, and City Clerk Rachel James.

The City Clerk announced a quorum was present.

Commissioner Daley introduced the two new Commissioners: Jeremy Little and Charlie Crooks. Both Commissioners introduced themselves to the audience.

**CONSENT AGENDA**

Motion by Berger, seconded by Little, to approve the items as presented in the Consent Agenda. Motion was approved, 4-0.

**MINUTES**

- A. The minutes for Regular Session of August 14, 2018 were considered and approved.

**NEW BUSINESS**

**PUBLIC HEARING – ZA2018-08 (REZONING FOR ONE (1) PARCEL OF LAND  
GENERALLY LOCATED AT 310 W. 8<sup>TH</sup> STREET, EDGERTON, KS)**

A public hearing in regard to rezoning application, ZA2018-08, pertaining to the rezoning of one (1) parcel (containing approximately 1.43 acres) from non-designated zoning assignment to Edgerton R-1 Single Family Residence, located generally at 310 W. 8<sup>th</sup> Street, Edgerton, KS. Applicant: Victor R. Smith.

Katy Crow, Development Services Director, overviewed the history and reason for the rezoning request. She indicated the property was annexed in September 2014. She noted the rezoning is requested due to the fact the property does not contain a zoning designation in the Johnson County AIMS system. The parcel currently contains a single-family residence and pole barn.

Ms. Crow stated the applicant's request is for the R-1 Zoning District and that this is the most compatible zoning choice for the current property use. She also noted staff reviewed the application in respect to the Unified Development Code, laws of Kansas, and the "Golden Criteria."

Commissioner Daley opened the public hearing.

Commissioner Daley asked if anyone would like to comment. There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve the rezoning of one (1) parcel (containing approximately 1.43 acres) from non-designated zoning assignment to Edgerton R-1 Single Family Residence. The motion was approved 4-0.

**PUBLIC HEARING – ZA2018-06 (REZONING FOR FOUR (4) PARCELS OF LAND GENERALLY LOCATED SOUTH OF THE INTERSECTION OF WAVERLY ROAD AND 191<sup>ST</sup> STREET)**

A public hearing in regard to rezoning application, ZA2018-06, pertaining to the rezoning of four (4) parcels (containing approximately 30 acres) from City of Edgerton A-G (Agricultural) Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located South of the intersection of Waverly Road and 191<sup>st</sup> Street. Applicant: Christopher Stara, Agent

Katy Crow, Development Services Director, overviewed the history and reason for the rezoning request. Ms. Crow stated the property was annexed in September 2015. This zoning is being requested for future intermodal-related development. The property is located near the center of the LPKC park and is currently surrounded by existing LPKC operations on all sides. The rezoning is sought in order to allow for a project which would create more cargo container storage as well as additional office space.

Ms. Crow stated the applicant's request is for the L-P Logistics Park Zoning District and that this is the most compatible zoning choice for the current property use. Ms. Crow noted that the rezoning is compatible with the surrounding designation as the majority of the surrounding area has changed from rural to industrial. She also noted staff reviewed the application in respect to the Unified Development Code, laws of Kansas, and the "Golden Criteria."

Commissioner Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Commissioner Daley asked to be shown the location of the property on the large display map. Beth Linn, City Administrator, pointed out the property.

Motion by Berger, Second by Little to approve with the following stipulations: 1.) All infrastructure of the City shall be met; 2.) All platting requirements of the City shall be met; 3.) All Site Plan application requirements of the City shall be met; 4.) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 4-0.

**PUBLIC HEARING – ZA2018-07 (REZONING FOR TWO (2) PARCELS OF LAND GENERALLY LOCATED DIRECTLY NORTH 31800 W. 196<sup>TH</sup> STREET AND EAST OF 32285 W. 191<sup>ST</sup> STREET)**

A public hearing in regard to rezoning application, ZA2018-07, pertaining to the rezoning of two (2) parcels (containing approximately 30 acres) from Johnson County RUR Zoning District to City of Edgerton L-P (Logistics Park) Zoning District, generally located directly north of 31800 W. 196<sup>th</sup> Street. Applicant: Harold J. Curry, Trustee of the Curry Survivor's Trust.

Katy Crow, Development Services Director, overviewed the history of the property, which was annexed into the City in August 2018. This zoning is being requested for future intermodal-related development. The property is currently surrounded by LPKC property on the North and South sides. The East is vacant L-P zoned land and a commercial nursery to the West. The applicant is seeking rezoning to encourage potential logistics park development on these parcels.

Commissioner Crooks asked what is directly north of the property. Ms. Crow responded by saying the Gifford's Property which is zoned L-P.

Commissioner Daley opened the public hearing.

There were no public comments.

Motion by Berger, Second by Crooks to close the public hearing. Motion was approved, 4-0.

Motion by Berger, Second by Little to approve with the following stipulations: 1.) All infrastructure of the City shall be met; 2.) All platting requirements of the City shall be met; 3.) All Site Plan application requirements of the City shall be met; 4.) Prior to issuance of building permits, the property shall be developed in accordance with a Site Plan reviewed and approved by the City. The motion was approved, 4-0.

#### **FINAL PLAT – FP2018-04 (LPKC SOUTHWEST - IP XXIII)**

An application for Final Plat, FP2018-04, requesting approval of a final plat for Logistics Park Kansas City Southwest – IP XXIII, located at the northeast corner of the intersection of 199<sup>th</sup> Street and Four Corners Road, consisting of one (1) lot, and three (3) tracts, containing approximately 116.14 acres was considered. Applicant: Chris Chancellor representing NPD Management, LLC.

Katy Crow, Development Services Director, overviewed the changes made to the Plat from the time that the Preliminary Plat was reviewed at the June 12, 2018 Planning Commission meeting. At that time the submission was for two (2) lots and four (4) tracts. Road access was proposed for two (2) entrances off 199<sup>th</sup> Street and one via Essex Street, which would be extended from approximately 193<sup>rd</sup> Street south to 199<sup>th</sup> Street. The current request for Final Plat approval would be to subdivide and plat land to support a project seeking to construct and operate a large warehouse/distribution building. The existing parcel would be platted into one (1) lot and three (3) tracts. The south side of Lot 1 w FINAL PLAT – FP2018-04 (LPKC SOUTHWEST - IP XXIII)

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Beth Linn, City Administrator, stated that access via homestead land is not included on the plat so, even in the future, access will not be granted. There would be one access point to the facility for car traffic on 199th Street. Truck traffic would only be able to access the facility from Essex Road, which will include a roundabout. Ms. Linn stated the City Engineering is still reviewing the plans for the roundabout to make sure truck traffic can revolve around the roundabout hauling a 54-foot trailer.

Commissioner Daley stated he would take public comments at this time.

Cliff Cole, 19911 Peppertree Lane, Edgerton, KS, 66021, commented that he wanted to make sure water detention was being addressed properly and that 199th can't sustain truck traffic. Mr. Cole also stated that 199th has become dangerous due to the speed of drivers and any truck traffic could increase this.

Lonny Vlieger, 19910 Peppertree Lane, Edgerton, KS, 66021, commented about the exit onto 199th and asked if they had considered other areas for the entrance/exit.

Marshall Wolfe, 20090 Peppertree Lane, Edgerton, KS, 66021, commented there should be a traffic study conducted to make sure the exit will not negatively impact the traffic on 199th.

Ms. Linn addressed the questions and comments by speaking more in depth about the plans for the water detention ponds, road plans, truck routes, and traffic on 199th Street.

Motion by Berger, Second by Crooks to approve FP2018-04 Final Plat for LPKC Southwest with the following stipulations: 1.) The commencement of any improvements shall not occur prior to the approval and endorsement of the final plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the final plat by the Governing Body; 2.) Sanitary sewer drawings and specifications must be submitted to and approved by the City of Edgerton and Kansas Department of Health and Environment prior to the commencement of any improvements; 3.) A Public Improvement Inspection Fee, established by the Fee Schedule for the Unified Development Code, shall be submitted with the document of financial assurance as defined in Section 13.7 prior to the commencement of any improvements; 4.) The applicant shall meet all

requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax; 5.) The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code; 6.) All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat. Tract A would have frontage along 199<sup>th</sup> Street and the west side would have frontage along Four Corners Road. Tract C has frontage on, but no access to, Homestead Lane. Ms. Crow noted staff recommends approval, with stipulations. Ms. Crow also introduced Brett Powell from Northpoint Development, who stood for questions.

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## City Council Action Item

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**Council Meeting Date:** October 25, 2018

**Agenda Item #:**

**Department:** Public Works

### **Agenda Item: Consider Purchase of the Public Works Replacement Truck through the Mid America Regional Council's Metro Vehicle Bid List.**

**Background/Description of Item:**

As part for the annual Vehicle and Equipment Replacement Schedule, Public Works Unit #105, 2001 Ford F-250 is slated for replacement in the 2018 calendar year. Post flood the City has taken an in-depth look at the makeup of the fleet, this includes staff looking at replacing vehicle and equipment with units that would provide benefit for today as well as into the future. Following this theme increasing the capacity of Unit 105 from an F-250 to an F-350 or similar to ensure the safe towing of the current equipment is paramount. This unit has been specified with the towing capacity needed to haul the respective equipment to the jobsite safe and efficiently.

During the comprehensive look into the future of the fleet, staff also identified the need to increase the ability to undertake multiple street maintenance projects simultaneously, this requires that the department have multiple crews and crew-vehicles with the towing capacity to match the needs for towing our current equipment. This will give the department the ability to perform street maintenance at the same time as sidewalk, curb and gutter repair/replacement, or the multitude of other task that require different equipment to be hauled to different locations.

The Vehicle and Equipment Policy requires the preparation of the specifications for the replacement vehicle with an effort for those to be as "standard" as possible to provide for economical and efficient repairs. It also requires that the City first use cooperative purchasing partnerships. Staff used the Mid America Regional Council (MARC) Cooperative Vehicle Bid List.

Enclosed is the Mid America Regional Council (MARC) Metro Cooperative Vehicle Bid list with this vehicle bid highlighted in orange. The apparent low bidder for the cab and chassis is Olathe Ford at \$24,456. However, after adding the necessary Factory Optional Upgrades to the vehicle, Shawnee Mission Ford came in as the overall low bidder for a total of \$31,760. Staff then added the Factory Optioned Items shown in the attached spreadsheet compared by dealership to calculate the true low bid from dealerships. Staff also notes that a Dodge truck

was listed as a low bid, but to keep consistent fleet maintenance staff recommends purchasing a Ford vehicle.

Staff recommends the purchase of a 2019 Ford F-350 Cab & Chassis Crew Cab, 4X4, 60" Cab to Axle. This unit will be purchased through the MARC Cooperative purchasing pool through Shawnee Mission Ford for cost of \$31,248. Additionally, the unit will be upfit with the necessary equipment needed for public works operations, hauling of material and hauling of equipment as well as a plow for winter operations. Staff is in the process of identifying the correct fit for salt/brine application moving forward. Over the 2018-19 Snow Season staff will look to address where the need is regarding an additional spreader or the upfit of a brine application system. Once the best fit is identified this will be presented for proper approval at the City Administrator and/or City Council level. Listed below are the specified options requested for the unit.

**Cab & Chassis Factory Optioned Items: Cost \$31,248**

- Crew Cab DRW
- 4X4
- 60" Cab to Axle
- Power Group – Power locks, power and heated mirrors, power windows
- Cruise Control
- 110V/400W Outlet
- 4.30 Limited Slip

**Additional Options: \$512**

- Trailer Brake Controller (52B) \$249 – Factory options will reduce the additional aftermarket upfit and this unit will be under factory warranty.
- Skid Plate (41P) \$92 – Increased protection for the Transfer-Case and Fuel Tank when the truck is driven off the roadway.
- Snow Plow Prep (473) \$171 – Option is needed for the Winter Operations up-fit.

**Total Dealership Cost: \$31,760**

**Aftermarket Upfit Options: Cost \$10,736**

- Future Line 8'6" Aluminum Flatbed – Additional \$ for DRW
- Meyer Lot Pro 8' Plow
- LED Amber Strobes – 4 Corner
- LED Amber Directional Light Bar

**Total Price as Optioned = \$42,496**

The City Council has requested that staff include similar used vehicles in the procurement process. Listed below are similar used vehicles for comparison. The search had to be extended to a 500-mile radius to include vehicles that are closer to the specifications of the F-350 through MARC.

Year	Mileage	Price
2016	96,437	\$29,899 (Dodge 3500, 4x4, Regular Cab, Diesel, Flatbed)
2016	156,000	\$32,900 (Ford F-350, 4x4 Regular Cab, Diesel, Flatbed)
2015	500	\$34,950 (Chevrolet 3500 4x4 Extended Cab, Flatbed)

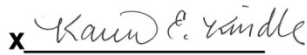
Prices do not include warranty or optional specified equipment from above. Individual dealerships may offer additional warranty for purchase.

Related Ordinance(s) or Statue(s): N/A

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**Funding Source:** Equipment Reserve Fund - General

**Budget Allocated:** \$69,605

x 

**Finance Director Approval:** Karen Kindle, Finance Director

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<p><b>Recommendation: Approve the purchase of 2019 Ford F350, upfit options and with allocation for tools for a total amount not to exceed \$42,496.</b></p>
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**Enclosed:** MACPP Vehicle Metro Bid Tabulation: Shawnee Mission Ford  
Equipment Request Form

**Prepared by:**

**Dan Merkh,** Public Works Director  
**Trey Whitaker,** Public Works Superintendent

		Johnson County IFB No. 2016-002 Vehicle Bid - 2018 Model Year Base Bid Pricing		Overland Park Jeep Dodge Chrysler Ram	Lou Fusz Chrysler Jeep Dodge RAM	Landmark Dodge	Lou Fusz Ford	Midway Ford Truck Center, Inc.	MHC Kenworth- Olathe	KCR International Trucks, Inc.	Dick Smith Ford, Inc.	Kansas City Freightliner Sales Inc	Roberts Chevrolet Buick	Shawnee Mission Ford	Olathe Ford
Line #	Bid Line Item No.	Description	UOM	Unit	Unit	Unit	Unit	Unit	Unit	Unit	Unit	Unit	Unit	Unit	Unit
1	1	Item No. 1 - Type: FULL-SIZE VAN CUTAWAY CAB & CHASSIS - Make Equal To: E-Series, G-Series, Freightliner, N	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$23,765.00	\$23,486.00	\$23,256.00
2	2	Item No. 2. - Type: 1-TON CAB & CHASSIS - Make Equal to C3500, F350, Ram 3500	EA	No Bid	No Bid	\$ 23,299.00	No Bid	\$28,492.00	No Bid	No Bid	No Bid	No Bid	\$25,105.00	\$24,962.00	\$24,456.00
3	3	Item No. 3 - Type: 15,000 GVWR CAB & CHASSIS. State Make & Model	EA	No Bid	No Bid	No Bid	No Bid	\$34,598.00	No Bid	No Bid	No Bid	No Bid	No Bid	\$30,309.00	\$30,022.00
4	4	Item No. 4 - Type: 17,500 GVWR CAB & CHASSIS. State Make and Model.	EA	No Bid	No Bid	No Bid	No Bid	\$35,627.00	No Bid	No Bid	No Bid	No Bid	No Bid	\$31,270.00	\$30,978.00
5	5	Item No. 5 - Type: 21,000 GVWR CAB & CHASSIS. State Make and Model.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$57,984.00	No Bid	\$61,992.00	No Bid	No Bid	\$52,217.00
6	6	Item No. 6 - Type: 29,000 GVWR CAB & CHASSIS. State make and Model.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	\$61,500.00	\$60,633.00	No Bid	\$68,529.00	No Bid	No Bid	\$57,578.00
7	7	Item No. 7 - Type: 34,000 GVWR CAB & CHASSIS. State make and Model.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	\$81,450.00	\$66,940.00	No Bid	\$72,217.00	No Bid	No Bid	\$62,751.00
8	8	Item No. 8 - Type: 56,000 GVWR CAB & CHASSIS. State Make and Model.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	\$81,950.00	\$77,382.00	No Bid	\$82,562.00	No Bid	No Bid	No Bid
9	9	Item No. 9 - Type: 66,000 GVWR CAB & CHASSIS. State Make and Model.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	\$91,950.00	\$83,420.00	No Bid	\$86,812.00	No Bid	No Bid	No Bid
10	10	Item No. 10 - Type: SUBCOMPACT SEDAN - Civic, Versa, Fiesta, or equal	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$16,969.00	No Bid	\$14,404.00
11	11	Item No. 11 Type: COMPACT SEDAN - Focus, Cruze, Dart, Corolla or equal.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$17,333.00	\$16,495.00	\$15,848.00
12	12	Item No. 12Type: MID-SIZE SEDAN - FRONT WHEEL DRIVE - Malibu, Fusion, Avenger or equal	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$17,985.00	\$16,744.00	\$17,119.00
13	13	Item No. 13Type: FULL-SIZE SEDAN, FRONT WHEEL DRIVE - Taurus, Impala or equal	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$20,997.00	\$20,451.00	\$20,901.00
14	14	Item No. 14 - Type: FULL-SIZE SEDAN - REAR WHEEL DRIVE - Charger or equal	EA	\$ 20,637.00	No Bid	\$ 20,517.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
15	15	Item No. 15 - Type: SUB-COMPACT UTILITY VEHICLE 4X4 - Escape, Cherokee, Equinox	EA	\$ 20,342.00	No Bid	\$ 21,855.00	No Bid	\$24,975.00	No Bid	No Bid	\$ 21,264.00	No Bid	\$21,992.00	\$21,155.00	\$21,527.00
16	16	Item No. 16 - Type: COMPACT UTILITY VEHICLE 4X4 - Model Equal To Grand Cherokee, Explorer, Durango.	EA	\$ 23,224.00	No Bid	\$ 26,382.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$26,492.00	\$26,248.00	\$26,748.00
17	17	Item No. 17 - Type: FULL SIZE UTILITY VEHICLE 4X4 - Tahoe, Yukon, Expedition or equal	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	See #37 SSV	No Bid	\$37,885.00	\$37,789.00	\$38,263.00
18	18	Item No. 18 - Type: LARGE SIZE UTILITY VEHICLE 4X4 - Suburban, Yukon XL, Expedition XL or equal-base dcor	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$40,867.00	No Bid	\$41,546.00
19	19	Item No. 19 - Type: COMPACT PICKUP, Cab "A", 4x2 - Frontier, Tacoma or equal.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
20	20	Item No. 20 - Type: MIDSIZE PICKUP, 4X2, CAB "A". Make Equal To Colorado, Canyon or equal.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$23,252.00	No Bid	No Bid
21	21	Item No. 21 - Type: PICKUP, 1/2 TON, CAB "A", 4X2. Make Equal To C1500, F-150, Ram 1500, Tundra	EA	\$ 18,035.00	No Bid	\$ 18,865.00	No Bid	No Bid	No Bid	No Bid	\$ 21,287.00	No Bid	\$20,376.00	\$21,117.00	\$21,031.00
22	22	Item No. 22 - Type: PICKUP, 3/4-TON, CAB "A", 4X2. Make Equal To C2500, F-250, Ram 2500.	EA	No Bid	No Bid	\$ 22,288.00	No Bid	No Bid	No Bid	No Bid	\$ 23,093.00	No Bid	\$24,403.00	\$22,924.00	\$22,838.00
23	23	Item No. 23 - Type: 1-TON PICKUP, CAB "A", 4X2. State make & model C3500, F350, Ram 3500 or equal.	EA	No Bid	No Bid	\$ 24,520.00	No Bid	\$28,478.00	No Bid	No Bid	\$ 25,564.00	No Bid	\$25,730.00	\$25,350.00	\$25,264.00
24	24	Item No. 24 - Type: MINI-VAN - PASSENGER. Make Equal To Grand Caravan, Odyssey, Transit Connect.	EA	\$ 20,789.00	\$21,781.00	\$ 20,770.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$22,659.00	\$23,133.00
25	25	Item No. 25 - Type: MINI-VAN - CARGO VAN. Make Equal To Ram CV, Transit Connect, City Express.	EA	\$ 19,240.00	No Bid	\$ 19,636.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$20,468.00	\$20,943.00
26	26	Item No. 26 - Type: VAN, CARGO, FULL SIZE, 3/4 TON. Make Equal To CG20, E-250, G35, B-3500.	EA	\$ 22,145.00	No Bid	No Bid	No Bid	\$26,024.00	No Bid	No Bid	No Bid	No Bid	\$21,998.00	\$22,561.00	\$22,427.00
27	27	Item No. 27 - Type: FULL SIZE CARGO VAN, 1-TON. Make Equal To G-20, E-31, S-31.	EA	No Bid	No Bid	No Bid	No Bid	\$28,778.00	No Bid	No Bid	No Bid	No Bid	\$25,626.00	\$24,428.00	\$24,180.00
28	28	Item No. 28 - Type: FULL SIZE WINDOW PASSENGER VAN. Make Equal To G-20, E-31, S-31.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$26,109.00	\$27,133.00	\$27,608.00
29	29	Item No. 29 - Type: VAN, CARGO, SPRINTER. Make Equal To Freightliner or Mercedes or equal	EA	No Bid	No Bid	No Bid	No Bid	\$34,382.00	No Bid	No Bid	No Bid	\$40,975.00	No Bid	No Bid	No Bid
30	30	Item No. 30 - Type: Chevrolet Caprice Police Patrol Vehicle	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
31	31	Item No. 31 - Type: Chevrolet Impala Police Pursuit Sedan. Chevrolet Impala Police Pursuit Sedan	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
32	32	Item No. 32 - Type: Chevrolet Tahoe Police Pursuit Vehicle. Chevrolet Tahoe Police Pursuit Vehicle	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$32,371.00	No Bid	No Bid
33	33	Item No. 33 - Type: Dodge Charger Police Patrol Vehicle. Dodge Charger.	EA	No Bid	\$21,225.00	\$ 20,848.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
34	34	Item No. 34 - Type: Ford Police Interceptor - Sedan. Ford Police Interceptor - Sedan.	EA	No Bid	No Bid	No Bid	\$23,987.00	No Bid	No Bid	No Bid	\$ 24,039.00	No Bid	No Bid	\$23,840.00	\$23,739.00
35	35	Item No. 35 - Type: Ford Police Interceptor - Utility. Ford Police Interceptor - Utility.	EA	No Bid	No Bid	No Bid	\$26,924.00	No Bid	No Bid	No Bid	\$ 27,711.00	No Bid	No Bid	\$27,492.00	\$27,907.00
36	36	Item No. 36 - Type: DODGE DURANGO SPECIAL SERVICES UTILITY VEHICLE. Dodge Durango Special Services U	EA	No Bid	\$23,981.00	\$ 26,086.00	No Bid	No Bid	No Bid	No Bid	SEE #42 Hybrid	No Bid	No Bid	No Bid	No Bid
37	37	Item No. 37 - Type: FORD EXPEDITION SPECIAL SERVICES UTILITY VEHICLE.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$ 36,124.00	No Bid	No Bid	\$35,953.00	\$36,427.00
38	38	Item No. 38 - Type: CHEVROLET TAHOE SPECIAL SERVICES UTILITY VEHICLE	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$34,381.00	No Bid	No Bid
39	39	Item No. 39 - Type: FORD F-150 SPECIAL SERVICES 1/2-TON PICKUP	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	See #21 for SSV	No Bid	No Bid	\$28,551.00	\$28,646.00
40	40	Item No. 40 - Type: DODGE RAM SPECIAL SERVICE 1/2-TON PICKUP.	EA	No Bid	\$26,905.00	\$ 26,691.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
41	41	Item No. 41 - Type: HYBRID SUBCOMPACT SEDAN. Civic, Insight, Prius, CMAX, or equal	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$ 21,943.00	No Bid	No Bid	\$21,919.00	\$21,194.00
42	42	Item No. 42 - Type: HYBRID COMPACT SEDAN. Fusion, Volt, or equal.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$ 22,836.00	No Bid	\$29,967.00	\$22,686.00	\$27,046.00
43	43	Item No. 43 - Type: HYBRID MIDSIZE SEDAN. Make Equal To: Malibu or equal	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$24,984.00	No Bid	No Bid
44	44	Item No. 44 - Type: ALL ELECTRIC SEDAN. Quote base model and attach the factory specs. to your submittal.	EA	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid

2019 Ford F-350
Optional Factory Equipment added to the Unit - CC, 4x4, Brake Controller, Power Group, Skid Plate, etc
Total

Olathe Ford
\$ 24,456.00
\$ 9,989.00
\$ 34,445.00

Shawnee Mission Ford
\$ 24,962.00
\$ 6,798.00
\$ 31,760.00





## VEHICLE & EQUIPMENT

Vehicle or equipment requested: \_\_\_\_\_ Date: \_\_\_\_\_

Describe need for vehicle or equipment: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe bid process and attach documentation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

REQUESTED ACC/VEH/EQUIP	NEW/ USED	NAME / DESCRIPTION	COST	TRADE IN	ACTUAL	RECOMMEND
			\$	\$	\$	<input type="checkbox"/>
			\$	\$	\$	<input type="checkbox"/>
			\$	\$	\$	<input type="checkbox"/>
			\$	\$	\$	<input type="checkbox"/>
			\$	\$	\$	<input type="checkbox"/>

Requested by: \_\_\_\_\_ Date: \_\_\_\_\_

Account Number: \_\_\_\_\_ Budget Available: ☐ \_\_\_\_\_

City Administrator Approval (\$15,000): \_\_\_\_\_ Date: \_\_\_\_\_

City Council Approval (> \$15,000): \_\_\_\_\_ Date: \_\_\_\_\_



# QUOTE

**The Best in Truck Equipment**  
 3738 Gardner Ave. Kansas City, MO 64120  
 816-231-9995 / Fax 816-920-6226

<b>Date</b>	<b>10/19/18</b>	<b>Vehicle Make</b>		<b>Engine</b>		<b>W/B</b>	
<b>PO Number</b>		<b>Model</b>		<b>Trans.</b>		<b>Color</b>	
<b>Salesman</b>	<b>Chip</b>	<b>Year</b>		<b>C/A</b>		<b>Vin</b>	
<b>Customer</b>	<b>City of Edgerton</b>						
<b>Contact name</b>	<b>Cody Ferris</b>						
<b>Street address</b>	<b>710 E. Nelson St.</b>						
<b>City</b>	<b>Edgerton</b>						
<b>ST</b>	<b>Ks 66021</b>						
<b>End User</b>							
<b>Phone</b>	<b>913-292-4077</b>						
<b>Fax</b>							
<b>E-mail</b>	<b>cferris@edgertonks.org</b>						

<b>Qty</b>	<b>Part Number</b>	<b>Description</b>	<b>Price</b>	<b>Total</b>
<b>1</b>	<b>Quote</b>	<b>Futureline Aluminum flatbed</b> <ul style="list-style-type: none"> <li>8'6" long x 84" wide</li> <li>1 3/4" Boxed extruded aluminum flooring</li> <li>Extruded aluminum rub rails 6061 T6 alloy</li> <li>2 x 4 outside stake pockets on 24" centers</li> <li>3/8"x3" aluminum outside rub rail</li> <li>.125 smooth aluminum rear apron with L.E.D. stop, tail, turn lights and backup</li> <li>Bulkhead with screen window, tapered to reduce wind resistance and integrated T, T, S and backup lights</li> <li>L.E.D. marker light per FMVSS</li> <li>Rear flaps</li> <li>Back up alarm</li> <li>installed</li> </ul>	<b>\$4,220.00</b>	<b>\$4,220.00</b>
<b>1</b>	<b>Option</b>	<b>Deduct for take-off Ford Long bed</b>	<b>Deduct</b>	<b>(\$600.00)</b>
		<b>***** 8- weeks to get bed *****</b>		
<b>1</b>	<b>Option</b>	<b>Ecco 4 corner strobes LED 3510A</b> <ul style="list-style-type: none"> <li>installed</li> </ul>	<b>ADD</b>	<b>\$750.00</b>
<b>1</b>	<b>Option</b>	<b>Ecco traffic advisor LED 3435A</b> <ul style="list-style-type: none"> <li>installed</li> </ul>	<b>ADD</b>	<b>\$575.00</b>
<b>1</b>	<b>Option</b>	<b>Add for 96" width and gooseneck hitch in bed</b>	<b>ADD</b>	<b>\$575.00</b>
		<b>Total</b>		
		<b>Freight</b>		
		<b>Sales Tax</b>		
		<b>F.E.T.</b>		
		<b>Total</b>		

Customer Acceptance of above quotation is indicated by signature below.

Customers signature\_\_\_\_\_

Date.\_\_\_\_\_



<b>Date</b>	<b>10/4/18</b>	<b>Vehicle Make</b>		<b>Engine</b>		<b>W/B</b>	
<b>PO Number</b>		<b>Model</b>		<b>Trans.</b>		<b>Color</b>	
<b>Salesman</b>	<b>Chip</b>	<b>Year</b>		<b>C/A</b>		<b>Vin</b>	
<b>Customer</b>	<b>City of Edgerton</b>						
<b>Contact name</b>	<b>Cody Ferris</b>						
<b>Street address</b>	<b>710 E. Nelson St.</b>						
<b>City</b>	<b>Edgerton</b>						
<b>State</b>	<b>Ks 66021</b>						
<b>End User</b>							
<b>Phone</b>	<b>913-292-4077</b>						
<b>Fax</b>							
<b>E-mail</b>	<b>cferris@edgertonks.org</b>						

[illegible]

Customers signature \_\_\_\_\_

Date.



EQUIPMENT CO.  
3250 Harvester Road  
Kansas City, Kansas 66115  
(Phone) 913-342-1450 (Fax) 913-342-1377  
sales@americanequipment.us

## QUOTATION

DATE	Quotation #
10/3/2018	100318/5JB

NAME / ADDRESS
City of Edgerton PO Box 255 Edgerton, KS 66021

TO CONFIRM ORDER
Quote Accepted by _____
Date _____
P.O. # _____

LEAD TIME	TERMS	REP	FOB	PHONE	FAX #
60 - 75 days	Due on Rece...	JLB	KC,KS		
QTY	ITEM	DESCRIPTION	U/M	COST	Total
1	300	2018 Ford F-250 4x4 gas 56" CA SRW  Remove pickup bed & bumper  CM Truck Bodies 8' 6" Model RD - ALL ALUMINUM construction - 4" Structural Channel Long Sills - 3" Roll Formed 3/16" Channel Crossmembers - Steel Tube Headache Rack with (2) STT and (2) Clear Backup LED Lights - 3/8" X 2" Outside Rub Rails with Stake Pockets - 26K B&W Hitch with Welded Ball in Recessed Box - 18,500 B&W Hitch with 2" Receiver Tube - LED Lighting ALL OF THE ABOVE INSTALLED  OPTION: Credit for pickup bed & bumper \$800		4,986.00	4,986.00
1	300	Boss super duty 8' plow package installed with rubber deflector		5,405.00	5,405.00
1	300	Truck side wiring & controls for a Salt Dogg 8' electric SS spreader		1,094.20	1,094.20
Quoted by John Blogin				<b>Total</b>	\$11,485.20

**This quote is valid for 30 days. Applicable taxes not included.**

**From:** [John Blogin](#)  
**To:** [Trey Whitaker](#)  
**Subject:** RE: quote  
**Date:** Friday, October 12, 2018 4:37:15 PM

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Yes the platform is wider

Plan on an additional \$445

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**From:** Trey Whitaker [mailto:[twhitaker@edgertonks.org](mailto:twhitaker@edgertonks.org)]  
**Sent:** Friday, October 12, 2018 4:17 PM  
**To:** John Blogin  
**Subject:** RE: quote

John,

Would there be any difference in price if this was a F350 DRW?



**Trey Whitaker** • Public Works Superintendent  
City of Edgerton, KS  
404 East Nelson • Edgerton, KS 66021  
913.893.6231 • 913.893.6232 (f) • 816.206.2358 (c)  
[www.edgertonks.org](http://www.edgertonks.org)

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**From:** John Blogin <[john@americanequipment.us](mailto:john@americanequipment.us)>  
**Sent:** Wednesday, October 03, 2018 4:40 PM  
**To:** Trey Whitaker <[twhitaker@edgertonks.org](mailto:twhitaker@edgertonks.org)>  
**Subject:** quote

Please forward to Cody

John Blogin

American Equipment Co.  
3250 Harvester Road  
Kansas City, Kansas 66115

913-342-1450 (P)  
913-342-1377 (F)



# 2015 CHEVROLET SILVERADO 3500HD Flatbed Truck

CLASS 3 (GVW 10001 - 14000) In Bryant, AR 72022 - 325 Miles Away - [Get Directions](#)

\$34,950

 Est. Payment



Feedback

## Details

Condition:	Used
Year:	2015
Make:	CHEVROLET
Model:	SILVERADO 3500HD
Class:	CLASS 3 (GVW 10001 - 14000)
Category:	Flatbed Truck
Cab Type:	STANDARD CAB
Location:	Bryant, AR
Max Horse Power:	322

Max Torque:	380
Fuel Type:	Gasoline
Rear Axles:	DRW
Wheelbase:	162
Brake Type:	Hydraulic
Stock Number:	F1568
VIN:	1GB3CYCG7FF575251
Drivetrain:	4X2
Engine Size:	6.0L cc
Weight:	10001-14000
Transmission Make:	Automatic
Front Tire Size:	17.0 x 6.5
Rear Tire Size:	17.0 x 6.5
Color:	WHITE
Interior Color:	GRAY
Upfit Body Type:	Flatbed Bodies
Mileage:	500

Feedback

## Description & Comments














2015 CHEVROLET, 3500 SILVERADO, WT REG CAB 4X2 FLATBED, FLATBED, RWD, 6.0, Automatic, 2015 CHEVROLET 3500 SILVERADO WT REG CAB 1 Ton 4X2 FLATBED 6.0 Gas Engine, 6 Speed Auto Transmission this Truck Come with Power Door Locks, Manual Windows, Manual Mirrors, Tow Mirrors, Tilt Steering Wheel, Cruise Control, Trailer Brake Controller, Traction Control, Audio Input jack, am/fm/blue tooth, Vinyl Seats, Vinyl Floor, CM Style Flat Bed 12-Foot-Long 8-Foot-Wide, Buyers Rear Mounted Tow Hitch, Michelin Tire size LT 235/80R17, Rear Gear Ratio 4:10, Front Fuel Tank 20-gal Rear Fuel Tank 40- gal. The front windshield is in excellent condition. The interior is clean and in good condition. The exterior is clean and in good condition. This vehicle has no previous collision damage. The engine is functioning properly and has no issues. The transmission shifts very smoothly. The brakes are in great condition. The car was previously owned by a nonsmoker. This vehicle comes with a spare key. T and B AUTO SALES HAS ARKANSAS LARGEST SELECTION OF TOP QUALITY WORK TRUCKS AND VANS. FOR MORE INFORMATION CALL BRIAN, CARL OR KEITH AT 501-847-2727 OR GO TO WORKTRUCKSANDVANS.COM, Air Conditioning; Power Steering; Power Door Locks, Manual Windows, Manual Mirrors, Tow Mirrors,Rear Gear Ratio 4:10, Front Fuel Tank 20-gal Rear Fuel Tank 40-gal



T & B Auto Sales  
1-800-883-9145  
25637 Interstate 30  
Bryant, AR 72022

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 12,082 miles  <b>Request Price</b>	 90,928 miles  <b>Request Price</b>	 24,465 miles  <b>Request Price</b>
		
<b>2015 CHEVROLET SILVERADO ...</b>  1 T & B Auto Sales 	<b>2016 CHEVROLET SILVERADO ...</b>  1 T & B Auto Sales 	<b>2013 CHEVROLET ...</b> T & B Auto Sales 

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# 2016 FORD F350 Flatbed Truck

CLASS 3 (GVW 10001 - 14000) In Frankfort, KY 40601 - 553 Miles Away - [Get Directions](#)

\$32,900

 Est. **Payment**



Feedback

## Details

Condition:	Used
Year:	2016
Make:	FORD
Model:	F350
Class:	CLASS 3 (GVW 10001 - 14000)
Category:	Flatbed Truck
Cab Type:	EXTENDED CAB
Location:	Frankfort, KY
Max Horse Power:	300
Max Torque:	660



<b>Fuel Type:</b>	BioDiesel
<b>Axles:</b>	4x4
<b>Rear Axles:</b>	DRW
<b>Wheelbase:</b>	162
<b>Brake Type:</b>	Hydraulic
<b>Stock Number:</b>	B49414
<b>VIN:</b>	1FD8X3HT3GEB49414
<b>Drivetrain:</b>	4X4
<b>Engine Manufacture:</b>	Power Stroke
<b>Engine Size:</b>	6.7L cc
<b>Weight:</b>	10001-14000
<b>Transmission Make:</b>	Automatic
<b>Front Tire Size:</b>	17.0 x 6.5
<b>Rear Tire Size:</b>	17.0 x 6.5
<b>Color:</b>	Red
<b>Upfit Body Type:</b>	Flatbed Bodies
<b>Mileage:</b>	156,000

Feedback

## Description & Comments

2016 Ford, F-350 SD, Flatbed Truck, XL SuperCab Long Bed DRW 4WD, CLEAN! 2016 Ford F-350 Quad Cab XL 4X4 Gooseneck Flatbed Nice 9'4" CM Gooseneck Flatbed driver side aluminum under mounted tool box LED tail lights gooseneck and receiver hitches w/brake controller 6.7 Powerstroke Diesel auto. tilt cruise air keyless entry auxiliary power outlet CD-MP3 power heated turn slide out tow mirrors Stainless Simulators LOADED UP ALL POWER 70% Cooper tires fleet maintained. WE STOCK OVER 400 TRUCKS SHIPPING AVAILABLE IN ALL LOWER 48 STATES. \*It is the customer's sole responsibility to verify the existence and condition of any equipment listed. The dealership is not responsible for misprints on prices or equipment. It is the customer's sole responsibility to verify the accuracy of the prices with the dealer. Pricing subject to change without notice. \*It is the customer's sole responsibility to apply for any and all lost or misplaced titles upon receiving the title Larry Stigers Equipment Trailers and Trucks will not supply duplicates.

## Message from Larry Stiger's Equipment, Trailers, & Trucks

OVER 500 TRUCKS AND CARGO VANS IN STOCK!



Larry Stiger's Equipment, Trailers, & Trucks  
1-866-383-0394  
100 Twin Oaks Circle  
Frankfort, KY 40601

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Q See 396



79,000 miles \$16,900



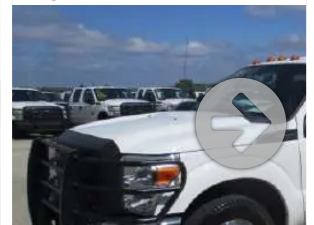
111,000 miles \$32,900



**2007 FORD F350 UTILITY TRUC...** 📷 28  
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**2012 FORD F350 UTILITY TRUC...** 📷 55  
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**2013 FORD F350 UTI**  
Larry Stiger's Equipmen  
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# 2016 Ram 3500 Cab Chassis, Flatbed Truck

CLASS 3 (GVW 10001 - 14000) In Sauk City, WI 53583 - 415 Miles Away - [Get Directions](#)

\$29,899

 Est. **Payment**



Feedback

## Details

Condition:	Used
Year:	2016
Make:	Ram
Model:	3,500
Class:	CLASS 3 (GVW 10001 - 14000)
Category:	Cab Chassis, Flatbed Truck
Cab Type:	STANDARD CAB
Location:	Sauk City, WI
Fuel Type:	Diesel
Wheelbase:	144

Stock Number:	J8001A
VIN:	3C7WRTAL1GG117542
Engine Model:	I6
Engine Size:	6.7L cc
Transmission Speed:	6
Color:	Flame Red Clearcoat
Interior Color:	Diesel Gray/Black
Upfit Body Type:	Flatbed Bodies
Mileage:	96,437

## Description & Comments

2016 Ram 3500, Tradesman, 2D Standard Cab, , 6.7L I6, 6-Speed, , Call 855-652-4406 and speak with our commercial truck department for additional information and Lowest Pricing including all current rebates and incentives applicable to you.

## Message from Kayser Chrysler Center

Sauk County's LARGEST Ram Dealer!



Kayser Chrysler Center  
1-855-652-4406  
866 Phillips Blvd  
Sauk City, WI 53583

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7 miles **\$47,983**

**2018 Ram 3500 PICKUP TRUCK**  
Kayser Chrysler Center 

31  
 1

15 miles **\$47,983**

**2018 Ram 3500 PICKUP TRUCK**  
Kayser Chrysler Center 

27  
 1

**2015 RAM 3500 PICKUP TRUCK**  
Kayser Chrysler Center

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# VEHICLE & EQUIPMENT

Vehicle or equipment requested: 2019 Ford F-350 Date: 10/19/18

Describe need for vehicle or equipment: Unit #105 has reach the end of its useful life and need of replacement. This unit currently is used in the day to day operations of the Public Works Department including, snow removal, debris cleanup and hauling of material to and from the job-site. The replacement unit will increase the towing capacity of the outgoing unit, as well as provide additional flexibility with snow removal, as this unit will be up-fit by American Equipment as set up to utilize the current salt spreader.

Describe bid process and attach documentation: The City of Edgerton's purchasing policy allows for staff to utilize cooperative purchasing to access competitive pricing for vehicles and equipment. Staff used the MACPP/MARC Cooperative as the pricing structure for the purchase of the 2019 Ford F-550. Additionally the upfit equipment was bid through American Equipment, Kranz of Kansas City and MACPP/Shawnee Mission Ford & Knapheide. Staffs recommendation is to use American Equipment for the up-fit.

REQUESTED ACC/VEH/EQUIP	NEW/ USED	NAME / DESCRIPTION	COST	TRADE IN	ACTUAL	RECOMMEND
VEH	New	Ford F-350 SMF	\$ 31,760.00	\$	\$ 31,760.00	<input checked="" type="checkbox"/>
VEH	Used	2015 Chevrolet 3500HD FB	\$ 34,950.00	\$	\$ 34,950.00	<input type="checkbox"/>
VEH	Used	2016 Ford F-350 FB	\$ 32,900.00	\$	\$ 32,900.00	<input type="checkbox"/>
VEH	Used	2016 Ram 3500 FB	\$ 29,899.00	\$	\$ 29,899.00	<input type="checkbox"/>
EQUIP	New	Kranz of Kansas City	\$ 10,736.00	\$	\$ 10,736.00	<input checked="" type="checkbox"/>

Requested by: Trey Whitaker Date: 10/19/18

Account Number: 13-00-4405 Karen E Kindle Budget Available: ☒ 69,605

City Administrator Approval (\$15,000): \_\_\_\_\_ Date: \_\_\_\_\_

City Council Approval (> \$15,000): \_\_\_\_\_ Date: \_\_\_\_\_